

## WORK SESSION AGENDA

June 1, 2021

5:00 p.m.

The purpose(s) of the meeting shall be for the Commission to receive, consider, discuss, deliberate and debate the matters listed herein below and such other public business as may lawfully be undertaken provided that no formal votes are to occur and no matters or issues will be formally decided upon at this meeting.

- I. Proposed FY22 Budget ORDINANCE NO. 21-1191
- II. Proposed Tax Rate for FY22 ORDINANCE NO. 21-1192
- III. FY21 End of Year Budget Amendments ORDINANCE NO. 21-1193
- IV. HCEMS MOU – RES NO. 21-1406
- V. APPLICATION TO REFUND CITY LOAN RES NO. 21-1409  
Refinancing Capital Improvement Note for interest rate deduction –  
effective savings of over \$84,000 in the course of 7 years
- VI. SETDD CONTRACT APPROVAL – RES NO. 21-1410
- VII. Bullet Proof Vest Grant – RES NO. 21-1411
- VIII. Santek to Capital Agreement RES NO. 21-1412
- IX. Speed Limit reduction on Dayton Blvd
- X. Rails with Trails (Berry)
- XI. Carta for Seniors (Berry)
- XII. Chattanooga Breakfast Rotary Club – requesting to reserve the  
Community Center every Friday morning indefinitely
- XIII. Any other business to discuss

# Rails w/ Trails

## 2021 Congestion Mitigation and Air Quality Improvement (CMAQ) Program Call



### 2021 Timeline:

- Applicant Webinar: **Friday, May 21, 2021**
- Letters of Intent Due: **Friday, June 4, 2021a**
- Approvals/Rejections Provided to Applicants: **Monday, June 7, 2021**
- Full Proposals Open: **Tuesday, June 8, 2021**
- Full Proposals Close: **Friday, July 9, 2021**
- Awards Announced: **September/October 2021**

*Bridge*

*80/20?*

### Eligibility:

All CMAQ projects must meet 3 basic requirements:

1. Be a transportation project
2. Be in either a non-attainment or maintenance area (**all of Hamilton County is eligible**)
3. Have an emissions reduction benefit

2013 CMAQ Interim Guidance – Eligibility Categories	
VII.F.1	Diesel Engine Retrofits and Other Advanced Truck Technologies
VII.F.2	Idle Reduction
VII.F.3	Congestion Reduction/Traffic Flow Improvements
VII.F.4	Freight/Intermodal
VII.F.5	Transportation Control Measures
VII.F.6	Transit Improvements
VII.F.7	Bicycles and Pedestrian Facilities
VII.F.8	Transportation Demand Management
VII.F.9	Public Outreach and Education
VII.F.10	Transportation Management Associations
VII.F.11	Carpooling/Vanpooling
VII.F.12	Car Sharing
VII.F.13	Extreme Low-Temperature Cold-Start Programs
VII.F.14	Training
VII.F.15	Inspection and Maintenance Programs
VII.F.16	Innovative Projects
VII.F.17	Alternative Fuels and Vehicles

*right turn lane  
Ashtland Tenn.*

*examples?*

*Projects that support these efforts include bike and ped infrastructure, mass transit improvements, telecommuting, bikeshare, outreach and education, park and ride lots, vanpools and diesel retrofits.*

### Next steps:

- Visit the TDOT CMAQ Competitive Funding webpage to learn more about specific requirements: <https://www.tn.gov/tdot/long-range-planning-home/air-quality-planning/cmaq-funding.html>
- Applicant Webinar (strongly encouraged): Friday, May 21<sup>st</sup> at 1 PM (CST) / 2 PM (EST)
- Reach out to [TDOT.CMAQ@tn.gov](mailto:TDOT.CMAQ@tn.gov) to be added to solicitation list

Rachael Bergmann, Senior Community Planner  
Office of Community Transportation, Region 2  
[rachael.bergmann@tn.gov](mailto:rachael.bergmann@tn.gov)

# Carta for Seniors

## Official Notice of FTA 5310 Transit Program Call for Projects & Project Selection Process

**Caroline Daigle, Senior Planner**

Strategic Long Range Planning

Chattanooga-Hamilton County Regional Planning Agency

1250 Market Street, Suite 2000-DRC

Chattanooga, TN 37402

[cdaigle@chattanooga.gov](mailto:cdaigle@chattanooga.gov)

CRISA?

The TPO, in coordination with CARTA, will issue a call for projects June 21<sup>st</sup> – July 30<sup>th</sup>, 2021 for fiscal year 2021 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funds for the Chattanooga-Hamilton County/North Georgia TPO area. The Section 5310 program, funded by the Federal Transit Administration (FTA), is a program designed to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available. Eligible projects include those that are planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable. Section 5310 funding may also be used for public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 as amended that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit, and for alternatives to public transportation that assist seniors and individuals with disabilities. For a project to be considered eligible for Section 5310 funding, it must be derived, as defined by FTA, from a locally developed Coordinated Public Transit-Human Services Transportation Plan.

do we have one? ↓

The currently adopted coordinated plan, adopted in April 2019, is available on the TPO website at <https://chcrpa.org/index.php/coordinated-public-transit-human-services-transportation-plan/>.

The funding priorities for Section 5310 funds as established by the Coordinated Plan are as follows:

- Continue to support Mobility Management and coordination efforts between CARTA Care-A-Van and human services agencies, with expansion to other areas as requested.
- Extend services in areas that currently have no public transportation, as feasible.
- Continued support for vehicle/capital purchases by human services agencies so they can continue providing transportation for seniors, individuals with disabilities, and people with low incomes.

**Traditional Capital Project Eligibility.** Examples of traditional capital projects include, but are not limited to: rolling stock and related activities; passenger facilities, support facilities, and equipment for Section 5310-funded vehicles; acquisition of transportation services; and support for mobility management programs. Eligible sub-recipients are private nonprofits, approved state/local government authorities, and private operators of public transportation. At least 55% of funds must be awarded to traditional capital projects.

**Non-traditional Project (Other Eligible Capital and Operating) Eligibility.** Eligible non-traditional projects include, but are not limited to: enhancing paratransit beyond the minimum requirements of the ADA; accessible feeder service; building an accessible path to a bus stop that is currently inaccessible; travel training; supporting volunteer driver programs; and purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpool programs. Eligible sub-recipients are state/local governments, private nonprofits, operators of public transportation receiving a 5310 grant through a designated recipient,

and private operators of public transportation under some circumstances. No more than 45% of funds can be awarded to non-traditional projects.

The FY 2021 apportionment of 5310 funds for the TPO area is \$414,303. There may also be some rollover funds from previous years' federal apportionments available. State funds may be available to cover up to half of the local match required for capital activities. Since the availability of state match is contingent on the approval of TDOT's budget, applicants will be required to commit to the full local match. A local match of at least 20 percent of the total project cost is required for capital projects, and a local match of at least 50 percent is required for operating projects.

However, according to the Federal Transit Administration, "CRRSAA waives the requirement for local share for previously apportioned (FY21 and prior) unobligated Section 5310 funds. Any unobligated Section 5310 funds may be obligated at a 100-percent Federal share" (see <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19#CARES>). Under these provisions from the Coronavirus Response and Relief Supplemental Appropriations Act, local matching funds may not be required for FY 2021 Section 5310 projects.

The TPO Executive Board approved CARTA as the designated recipient for Section 5310 funds in February 2014. As designated recipient, CARTA will coordinate with the TPO on the call for projects for Section 5310 funds. The Human Services Transportation Committee will participate in the project selection process.

The call for projects will open on June 21, 2021. Prospective applicants should email [cdaigle@chattanooga.gov](mailto:cdaigle@chattanooga.gov) by Monday, July 12, 2021 expressing their intent to apply. The email should include the general scope of the project, anticipated costs, and requested federal funding, in order to ensure that the project is eligible for funding under FTA guidelines.

**The deadline for application submissions is Friday, July 30, 2021.** Applications can be completed online (application link will be posted on the TPO website), emailed to [cdaigle@chattanooga.gov](mailto:cdaigle@chattanooga.gov) or mailed to Caroline Daigle at Regional Planning Agency, 1250 Market Street, Chattanooga, TN 37402.

For FTA guidance on the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program, visit [transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310](https://transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310).

Any questions may be directed to Caroline Daigle at [cdaigle@chattanooga.gov](mailto:cdaigle@chattanooga.gov) or (423) 643-5947.

# *City of Red Bank*

Hollie Berry  
Mayor

## **BOARD OF COMMISSIONERS MEETING**

John Alexander  
Interim City Manager

Agenda  
June 1, 2021  
6:00 p.m.

**I. Call to Order – Mayor Hollie Berry**

**II. Roll Call – City Manager**

Mayor Hollie Berry \_\_\_\_\_ Vice Mayor Stefanie Dalton \_\_\_\_\_, Commissioner Ruth Jeno \_\_\_\_\_,  
Commissioner Ed LeCompte \_\_\_\_\_ Commissioner Pete Phillips \_\_\_\_\_

**III. Invocation – PASTOR TYLER TRIVETT, DELASHMITT ROAD BAPTIST CHURCH**

**IV. Pledge of Allegiance –**

**V. Consideration of the Minutes for approval or correction:**

- A. May 4, 2021 Agenda Work Session for reconsideration
- B. May 18, 2021 Agenda Work Session
- C. May 18, 2021 Commission Meeting
- D. May 19, 2021 Budget Workshop Minutes
- E. May 24, 2021 Budget Workshop Minutes

**VI. Communication from the Mayor**

**VII. Commissioner's Report**

- A. Vice Mayor Stefanie Dalton
- B. Commissioner Ruth Jeno
- C. Commissioner Ed LeCompte
- D. Commissioner Pete Phillips

**VIII. City Manager Report**

**IX. PUBLIC HEARINGS**

The purpose of the Public Hearing is to receive citizen input regarding the proposed Fiscal Year 2022 Operating Budget.

**X. Unfinished Business**

**XI. New Business**

- A) ORDINANCE NO. 21-1191 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PROVIDE FOR THE GENERAL REVENUE THEREOF FOR THE FISCAL YEAR 2021-2022 ON AN INTERIM BASIS PENDING RECEIPT OF THE "CERTIFIED RATE" FROM THE ASSESSOR OF PROPERTY OF HAMILTON COUNTY, TENNESSEE, PURSUANT TO T.C.A. SECTION 67-5-1701, TO BE KNOWN AS THE GENERAL REVENUE ORDINANCE FOR SAID YEAR (first reading)
- B) ORDINANCE NO. 21-1192 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE OF \$1.39 FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022 (first reading)
- C) ORDINANCE NO. 21-1193 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET YEAR END APPROPRIATION OVERAGES (first reading)

- D) RESOLUTION NO. 21-1406 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AUTHORIZING A MEMORANDUM OF UNDERSTANDING / INTERLOCAL AGREEMENT WITH HAMILTON COUNTY EMERGENCY SERVICES FOR FIRST RESPONDER SERVICES
- E) RESOLUTION NO. 21-1409 A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING GENERAL OBLIGATION CAPITAL OUTLAY REFUNDING NOTES, SERIES 2021, IN AN AMOUNT NOT TO EXCEED \$1,527,000, AND PROVIDING FOR THE PAYMENT OF SAID NOTES
- F) RESOLUTION NO. 21-1410 A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK AND SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT FOR PROVIDING LOCAL PLANNING ADVISORY SERVICES
- G) RESOLUTION NO. 21-1411 A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BULLETPROOF VEST PARTNERSHIP GRANT
- H) RESOLUTION NO. 21-1412 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE APPROVING THE ASSIGNMENT OF THE SANTEK WASTE SERVICES, LLC WASTE SERVICES, LLC SOLID WASTE AND DUMPSTER ROLL OFF DISPOSAL AGREEMENT DATED MAY 12, 2020 TO CAPITAL WASTE SERVICES, LLC WASTE SERVICES, LLC SUBJECT TO CERTAIN CONDITIONS

**XII. Citizen Comments from Red Bank Citizens on Items Not on the Agenda  
(3 minute limit)**

**XIII. Adjournment**

*"Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission and do not necessarily represent the religious beliefs or views of the Commission in part or as a whole. No member of /the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Commission."*

**BOARD OF COMMISSIONERS MEETING**

Minutes  
May 4, 2021  
6:00 p.m.

- I. **Call to Order** – Mayor Hollie Berry called the meeting to order at 6:00 p.m.
- II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr., City Recorder Tracey Perry, Police Chief Dan Seymour and those listed on Exhibit A.
- III. **Invocation – presented by Pastor Sam Greer, Red Bank Baptist Church**  
Pastor Greer thanked the community for their help and support with the food donation program.
- IV. **Pledge of Allegiance – led by Chief Dan Seymour**
- V. **Consideration of the Minutes for approval or correction:**
  - A. **April 20, 2021 Agenda Work Session**  
Commissioner LeCompte made a motion to approve the minutes as printed, seconded by Commissioner Phillips. Motion carried with all Commissioners voting “yes”.
  - B. **April 20, 2021 Commission Meeting**  
Mayor Berry requested revisions of incorrect names in the minutes. Vice Mayor Dalton made a motion to approve the minutes as amended, seconded by Commissioner Jenó. Motion carried with all Commissioners voting “yes”.
- VI. **Communication from Mayor Hollie Berry**
  - Today is International Firefighter Day. She commends Chief Mark Mathews for his 45 years of service and his upcoming retirement.
  - Tennessee American Water has approved the \$2500 grant for cleaning up Stringers Branch.
  - We have been advised that the Special Called Meeting on April 26, 2021 was not properly noticed. She gave the following statement, “Some concerns have been brought forward about the notice for the special called meeting on Monday 4/26, and the actions that the board of commissioners took based on that notice. Therefore we have been advised to hold another meeting, where notice encompasses both discussion and a vote. Because our city attorney has recused himself, he cannot advise us on these issues, and so we’ve also been advised to retain legal counsel. Therefore I hereby call a special meeting for the topic of “Deliberation followed and a vote on retaining Evans, Harrison, & Hackett” for Friday, May 7th. Commissioners Jenó and Phillips have also called a special called meeting 5/11 at 6pm with the same agenda as the 4/26 special called meeting but this time noticed as “items for deliberation and a vote”.”
  - The Blue Bird Trail and Tri-State Bluebird Society will be giving a presentation at White Oak Park, upper pavilion, on Saturday May 8, 2021 from 11:00 to 12:00.

- Thanked the parents and volunteers that came out and helped to refresh the garden beds at Red Bank Elementary on May 1, 2021.
- The Recycling Survey is now closed in preparation for budget discussions. Based on the approximately 1,600 responses out of 4,382 households in Red Bank, here are the results:
  - 79% of respondents currently recycle
  - 87% of respondents are “very interested”
  - 88% of respondents consider the \$3/month a good value
  - 75% of respondents currently use the Hamilton County Recycle Center
  - 72% of respondents list the lack of curbside recycling as the reason they don’t recycle
  - 84% of respondents say they generate the same or more recyclables than non-recyclables
  - 14% currently contract with private recycling pick-up, with 5% still utilizing the Recycling Center
- The Hamilton County Recycling Center located in Red Bank will only be taking plastics #1 and #2 as of May 1.
- The Hamilton County Mask Mandate has ended. However it is still recommended to wear a mask when indoors where unvaccinated people may be present.
- The next Red Bank Community Food Drive will be May 6, from 5:00 to 6:00 pm at the Red Bank United Methodist Church.

## **VII. Commissioner’s Reports**

### **A. Vice Mayor Stefanie Dalton**

- Welcomed everyone.
- This month is Asian-American / Pacific Islander Month. She would like to recognize and celebrate any local Asian-American or Pacific Islander businesses for all of their contributions to our community.
- Recognized Brandi Adams, Red Bank Elementary’s Instructional Coach, for her award as Extraordinary Educator of which she is one of only 44 educators across the country.
- This week is Teacher Appreciation Week.
- Red Bank Elementary and Red Bank Middle School wish to thank Food City, Save A Lot, BeCaffeinated and Amigos here in Red Bank for contributing to help with the Teacher Appreciation efforts.
- Thanked Cushla’s Cuisine for offering a discount to all teachers.
- Thanked the citizens that have reached out with concerns about the April 26 Special Called Meeting. In order to provide clarity and context, the City Manager’s April 16 email and excerpts of the City Charter concerning Special Called Meetings were read aloud. Mr. Thornbury voluntarily resigned his post. He has been an asset to our City and I wish him all the best luck. Confident that current administration staff will keep all current projects moving forward. Recommends that the City contract with him on a negotiated hourly rate for a specific amount of time, as has been the custom of the City and which is the fiscally responsible arrangement for the City and our taxpayers. Mr. Thornbury’s current proposal will cost our taxpayers over \$10,000/month through March 31, 2022. The City had no legal representation during the April 26 meeting because Mr. Stulce had recused himself and Signal Mountain Attorney Harry Cash, though present, had not been formally retained. The April 26 meeting was to discuss, but not formally vote on Mr. Thornbury’s proposal. Adequate notice was not given for the April 26 meeting. Another meeting is scheduled for deliberation and vote on Mr. Thornbury’s proposal after retaining counsel. Citizens should contact their elected representative with concerns.

### **B. Commissioner Jenö**



- Welcomed everyone.
- Special thanks to Pastor Greer.
- Issued a public apology to Mayor Berry for the unintentional interruption that occurred at the April 20 Work Session Meeting.
- Tomorrow, May 5, is National Prayer Day. Area pastors and citizens will gather at the Hamilton County Courthouse at noon.
- Concerned about the April 26 Special Called Meeting. Discussed the duties of the City Manager and the Commissioners. Recited some of City Manager Thornbury's accomplishments and contributions to the City. John Alexander is a very talented man, but he can't do it all. Retaining Tim will ensure the City will keep moving forward during the transition.
- Thanked Mr. Thornbury for his 35 years of service.
- Welcomed all former Commissioners present tonight, the Cooley family, Fairbanks family and many other long-time residents for showing up in support of Mr. Thornbury.

#### **C. Commissioner LeCompte**

- Welcomed everyone.
- Thanked Commissioner Jeno for her informative report.
- Thanked former Commissioners for their presence tonight.

#### **D. Commissioner Phillips**

- Thanked everyone for coming tonight, especially Red Bank Baptist Church pastor.
- Recognized Mark Mathews for 45 years and Tim Thornbury for 35 years of service.
- This Commission is taking a step backward. Important things that were brought up early in the year, have not been mentioned again. Listed some of his priorities and what should be the priorities of the Commission. City needs to have a plan with measurable goals and a vision. Board time is for City business.
- Members of the members of the Board should involve the City Manager when directly discussing day to day operations with employees.
- The Board needs to work together.

### **VIII. City Manager Report**

- Thanked Mark Mathews for his 45 years of service.
- Read aloud his position on the situation surrounding his proposed Separation Agreement. Stated that he will continue to come to work until the Agreement is voted on.

### **IX. UNFINISHED BUSINESS**

#### **A) ORDINANCE NO. 21-1188 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE ESTABLISHING PROCESSES AND PROCEDURES WITH RESPECT TO THE SALE, DEVELOPMENT AND DISPOSITION OF REAL PROPERTY, CODIFIED IN THE RED BANK CITY CODE IN THE APPENDIX, CHAPTER F, THEREOF AND ASSIGNED THE TITLE: SALE, DEVELOPMENT AND DISPOSITION OF REAL PROPERTY (second and final reading)**

Vice Mayor Dalton made a motion to approve, seconded by Commissioner Jeno. Some discussion ensued. No citizen comments. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "no". Ordinance No. 21-1188 was approved on second and final reading with four of five commissioners voting "yes".

### **X. NEW BUSINESS**

**A) AGENDA ITEM NO. 21-855 FY 21-22 BUDGET PRESENTATION**

City Manager Thornbury gave a brief summary of the proposed FY 21-22 budget; announced the Budget Hearing dates as May 11 at 4:15 pm, May 19 at 4:15 pm and May 24 at 4:15 pm and the public is invited to attend; and presented printed copies of the proposed budget to the Board. No discussion.

**B) ORDINANCE NO. 21-1189 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 IN ORDER TO APPROPRIATE UNBUDGETED EXPENDITURES AND GRANT FUNDING (first reading)**

City Manager Thornbury explained that this is a housekeeping item to account for unplanned funding, grants and expenditures, matters the Commission has already considered and acted on. No discussion. Commissioner Jeno made a motion to approve, seconded by Commissioner Phillips. No discussion. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "yes". Ordinance No. 21-1189 was approved on first reading with all commissioners voting "yes".

**C) RESOLUTION NO. 21-1404 A RESOLUTION DECLARING CITY OWNED PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE SALE, TRADE OR DESTRUCTION THEREOF**

City Manager Thornbury explained the intent of the Resolution. Commissioner Jeno made a motion to approve, seconded by Vice Mayor Dalton. Some discussion ensued. There were no citizen comments. Resolution No. 21-1404 was approved with all Commissioners voting "yes".

**D) RESOLUTION NO. 21-1405 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR LOCAL SLICE, LLC dba PIZZERIA CORTILE, 4400 DAYTON BOULEVARD, RED BANK, TENNESSEE**

City Manager explained the intent of the Resolution that the state liquor license meets the limited requirements and standards that the City is able to regulate. Commissioner Jeno made a motion to approve, seconded by Commissioner LeCompte. No discussion. There were no citizen comments. Resolution No. 21-1405 was approved with all Commissioners voting "yes".

**XI. Citizen Comments from Red Bank Citizens**

**Stephen Olmstead**, 3316 Martin Ave – Expressed concern with what is going on in the City.  
**Molly Johnson**, 5350 Hunter Trail – Supports Mr. Thornbury. Suggested streaming the meetings to allow viewing from home and was advised that meetings are currently live-streamed on YouTube.

**Jamie Harvey**, 2409 Ashmore Ave – The National Day of Prayer is actually Thursday. Wanted the Board to know that they are prayed for every day.

**Jeff Price**, 4507 McCahill Rd – Expressed being bothered by this whole meeting. Inquired on the recourse available to the citizens if people on the Board are operating outside their scope.

**Daniela Peterson**, 3005 James Ave – She sees this situation as a good thing – it is bringing neighbors together to express what they think. Asked if the City was going to pay a year during the transition of every long-time employee.

**Kathy Lennon**, 401 Crisman St – She asked if Mr. Thornbury had brought his concerns to anyone prior to resigning. She suggested that an outside source provide training to the

Board on how to better handle the situation in which they currently find themselves.

**John Lennon**, 401 Crisman St - Stated that the Board does not know what they are doing. Disagrees with using the meeting to air personal grievances.

**Anne Wheeler**, 427 Antelope Trail – Asked how many meetings does the City schedule without legal counsel, and why would you do that? It was explained that the Board was under the impression that City Attorney Arnold Stulce had asked Signal Mountain Attorney Harry Cash to sit in at the Special Called Meeting, but should have been approved by the Board to have been considered legal counsel.

**Keith Smith**, 4705 Hunter Trail – Concerned about the current direction of the City Commission.

**Johnathan Swiger**, potentially moving an office to Red Bank – Says that after what he has heard at this meeting, he has nothing but fear and is no longer comfortable with investing in Red Bank.

**Jeff Cannon**, 405 Martin Rd –Does not feel his tax dollars should be used as a “Hand-out” for our friends.

**Molly Johnson**, 5350 Hunter Trail – States that Mr. Thornbury is offering services for two other positions for the next 10 months.

**John Roberts**, 3311 Martin Rd - Spoke in support of the entire City and the value of each employee. Asked Mr. Thornbury to reconsider. Continue to move forward.

**Rick Causer**, 3802 Pickering Ave – Spoke in support of Mr. Thornbury.

**Tyler Kraha**, 2711 Berkley Dr -- There is tension amongst the Board that needs to be resolved. Expressed disappointment with his perceived lack of community related involvement by some of the Commissioners.

**Mary Ingram**, 200 California Ave – Was involved with the Red Bank Neighborhood Pride Association – Both Commissioners Jeno and LeCompte were heavily involved.

**Tyler Howell**, 3303 Lamar Ave – Spoke in support of Mr. Thornbury while listing his many contributions to the City.

**Carter Wexler**, small business owner in Red Bank – asked how we are announcing Special Meetings. Mayor Berry advised they are posted on the City website, the City Facebook page, posted on the front door of City Hall, and if time allows, in the newspaper.

**Greg Jones**, 113 Culver St –Frustrated about how things are going in the City. Here in support of Mr. Thornbury.

**Peggy Roe**, 3102 Easton Ave – Concerned about the current direction of the City Commission.

## **XII. Adjournment**

A motion to adjourn was made by Commissioner Jeno, seconded by Commissioner LeCompte. Motion carried with all Commissioners voting “yes”. The meeting was adjourned at 7:44 p.m.

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Mayor Hollie Berry

Date

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City Recorder Tracey Perry

Date

# *City of Red Bank*

Hollie Berry  
Mayor

Tim Thornbury  
City Manager

## **COMMISSIONERS AGENDA WORK SESSION**

Minutes  
May 18, 2021  
5:00 p.m.

The Board of Commissioners met in a public and duly advertised Agenda Work Session on May 18, 2021 at 5:00 p.m. The date, time and location of the meeting were advertised in the Chattanooga Times Free Press on the City's Facebook page and on the City of Red Bank website together with instructions and an internet link to enable virtual attendance by the public. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor Hollie Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte and Commissioner Pete Phillips. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce, Jr., City Recorder Tracey Perry and those listed on Exhibit A.

- I. Presentation on new and/or approved legislative bills by Bridgett Raper  
Bridgett Raper is a Communications Strategist and represents the Small Cities Coalition of Hamilton County, TN. She spoke briefly on some current and upcoming legislative issues that may impact the City. The info she covered is attached as Exhibit B.
- II. Rezoning 336 Sweetland Drive from R-1 to R-3 Residential  
Mayor Berry explained that the Planning Commission voted to recommend denial of this request based on Spot Zoning and Site Screening Concepts. Mentioned that she would like to find a "non-zoning" solution for future requests to allow homeowners to use their homes as they wish to use them.
- III. Commissioner Phillips gave a summary of his suggestion to create a Strategic Plan for the City. It is a team-oriented approach, using citizens as the team members. It was discussed that the team meetings could occur by Zoom.

The meeting was adjourned at 5:33 p.m.

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Mayor Hollie Berry

(Date)

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City Recorder Tracey Perry

(Date)

**CIVIL PROCEDURE:****\*\*SB0868 - Bell/HB1130 – Farmer****Caption Bill: Creates the Courts of Special Appeals for TN**

As introduced, extends, from 10 days to 30 days, the time within which a party may appeal an order denying or granting class action certification. As introduced, extends, from 10 days to 30 days, the time within which a party may appeal an order denying or granting class action certification.

**Caption Bill. AMENDMENT #2** rewrites this bill to create the court of special appeals of Tennessee, which will be composed of three judges, one from each grand division of the state. **AMENDMENT #2** rewrites this bill to create a new trial court, the statewide chancery court, composed of three chancellors, of whom no more than one shall reside in each grand division of the state. The chancellors of the statewide chancery court will be appointed and elected in the same manner as provided by present law for trial court judges, except that the judicial district for each chancellor is the state of Tennessee and each chancellor must be elected in a statewide election. The governor will appoint the initial three chancellors, who will serve until August 31, 2022, or until their successor is elected and qualified. The initial election of the chancellors will occur at the August 2022 general election and every eight years thereafter. The candidates for chancellor of the statewide chancery court will be nominated by their respective political parties in primary elections.

*The statewide chancery court will have exclusive original jurisdiction over any civil cause of action that:*

- (1) Challenges the constitutionality of a state statute, an executive order, or an administrative rule or regulation;*
- (2) Includes a claim for declaratory judgment or injunctive relief; and*
- (3) Is brought against the state or a state department, agency, or official acting in their official capacity.*

**Senate Status: 5/05/2021 - Companion House Bill Substituted**

**House Status: 5/14/2021 - TRANSMITTED TO GOVERNOR FOR HIS ACTION**

**COMMERCE AND INSURANCE:****-PUBLIC CHAPTER 332-****\*\*SB0631 – Bell/HB0749 – Boyd****Caption Bill: Preempts Local Government from Design Reviews**

As introduced, increases, from 10 working days to 12 working days, the time within which, after receipt of a written appeal, the state fire marshal's office must provide a decision in cases of conflict between a city and county regarding a building or fire code issue.

**Caption Bill.** As written, the bill would have adversely affected local development standards and prevented cities and counties from ensuring that any new development reflects the character and aesthetic qualities desired by community residents. While the final version retained the prohibition on local governments adopting an outright ban on any construction materials or products considered safe for use by State Fire Marshal or under recognized building code, TML worked with the bill sponsors and industry groups to mitigate harmful consequences. The amended bill allows for the continued promotion of local preferences in historic areas and through the use of overlays, development standards, design review standards and other lawful means.

**Senate Status: 4/21/2021 – Companion House Bill Substituted**

**House Status: 5/04/2021 – PUBLIC CHAPTER 332**

**EMPLOYEES, EMPLOYERS:****\*\*SB1573 – Bailey/HB0037 – Ogles****Prohibits classification of workers as essential or non-essential by Government entities**

As introduced, prohibits a state or local governmental entity, the governor, or the executive head of a local government from classifying a category of workers as essential or nonessential.

**Senate Status: 5/11/2021 – SIGNED BY GOVERNOR****House Status: 4/27/2021 – Comp. SB Substituted****FIREFIGHTERS:****\*\*SB0778-Johnson/HB0772-Lamberth****Cash Supplements to Volunteer Firefighters**

As introduced, provides annual \$600 cash supplements to volunteer firefighters who successfully complete in each year an in-service training course. *AMENDMENT #1 reduces from 40 to 30 the number of hours of in-service training that a volunteer firefighter must complete in order to qualify for the \$600 payment. This amendment specifies that a person is only eligible to receive payment for the \$800 firefighter pay supplement or the \$600 payment for volunteer firefighters, whichever is greater, for successful completion of the person's annual in-service course. This amendment makes this bill effective upon becoming a law for rulemaking purposes.*

**Senate Status: 5/13/2021 – TRANSMITTED TO GOVERNOR FOR ACTION****House Status: 5/03/2021 – Comp. SB Substituted****MUNICIPAL GOVERNMENT:****\*\*SB0538 – Stevens/HB0656 – Moon****Certified Municipal Finance Officer Legislation**

As introduced, reduces from 24 hours to 16 hours the required amount of continuing professional education for certified municipal finance officers (CMFO); authorizes a municipality to contract with a certified public accountant to act as a CMFO; makes candidates for CMFO certification eligible for an examination stipend and travel and meal reimbursement, subject to available funding; removes outdated compliance timelines.

*This year, Comptroller Jason Mumpower took the lead and introduced legislation as part of the Comptroller's annual legislative package. While the bill quickly made its way through various committees without opposition, the final budget adopted by the General Assembly did not include funding to cover the stipend or to provide reimbursement of expenses. Consequently, the bill was amended before final passage to remove these provisions; leaving only the reduction in the annual continuing education requirements.*

**Senate Status: 5/05/2021 – Companion House Bill substituted****House Status: 5/13/2021 – TRANSMITTED TO GOVERNOR FOR ACTION**

**PLANNING, PUBLIC:*****-PUBLIC CHAPTER 39-*****\*\*SB0682 – Kelsey/HB0407 – Helton****Negotiate sale of property prior to final plat approval**

As introduced, allows an owner or agent of the owner of real property to, prior to closing on the property, agree or negotiate to sell the property by reference to a subdivision plat before the final subdivision plat is approved by the planning commission.

**Senate Status**                **3/29/2021 – Comp. became Pub. Ch. 39****House Status**              **3/29/2021 – PUBLIC CHAPTER 39****PUBLIC HEALTH:****\*\*SB0187 – Bowling/HB0013 – Hulsey****Prohibits mandatory Covid-19 vaccination**

A law enforcement agency or governmental entity of this state or a local government, or the governor or chief executive of a local government by executive order, shall not force, require, or coerce a person to receive an immunization or vaccination for COVID-19 against the person's will.

**Senate Status:**            **4/28/2021 – Companion House Bill substituted****House Status:**          **5/13/2021 – TRANSMITTED TO GOVERNOR FOR ACTION****PUBLIC RECORDS:*****-PUBLIC CHAPTER 242-*****\*\*SB0135 – Haile / HB0197 – Zachary****Mediation – public records custodian and records requestor**

As introduced, provides a mechanism by which a public records custodian may enter into mediation with a records requestor for the purpose of stopping requests that constitute harassment; if mediation fails, authorizes a records custodian to seek an injunction against the records requestor.

*This legislation seeks to balance the intent of Tennessee's sunshine laws with the need to address the abuse of the open records laws, by establishing a process by which a public records custodian may enter into mediation with a records requestor for the purpose of stopping requests that constitute harassment of public officials or staff. The law specifies that if the mediation fails, then a records custodian is authorized to seek an injunction against the records requestor.*

**Senate Status:**            **5/04/2021 – PUBLIC CHAPTER 242****House Status:**          **5/04/2021 – Comp. became Public Chapter 242**

**STATE GOVERNMENT:**\*\*SB1335-Hensley/HB0928-Campbell

Tennessee Second Amendment Sanctuary Act

As introduced, enacts the "Tennessee Second Amendment Sanctuary Act," which declares a treaty, executive order, rule, or regulation of the U.S. government that violates the federal second amendment as null, void, and unenforceable in this state and prohibits the state and political subdivisions from using public resources to enforce, administer, or cooperate with the enforcement or administration of any such treaty, executive order, rule, or regulation.

*The legislation prohibits the state and political subdivisions from using public resources to enforce, administer, or cooperate with the enforcement or administration of any such law, treaty, executive order, rule, or regulation. It also establishes that any public official that allocates public funds, personnel or property of the state to enforce federal laws governing firearms that violate state law is subject to ouster.*

Senate Status: 5/17/2021 – TRANSMITTED TO GOVERNOR FOR ACTION

House Status: 5/03/2021 – Comp SB substituted

**TOBACCO, TOBACCO PRODUCTS:**\*\*SB1047-Southerland/HB0705-Russell

Includes vapor products in the Non-Smoker Protection Act

As introduced, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act.

*Precludes any future local laws on the regulation of vaping products after July 1, 2021. Since 1994, cities and counties have been prohibited from regulating smoking. The few municipalities that have managed to secure such authority have been required to pursue private acts.*

Senate Status: 5/17/2021 – TRANSMITTED TO GOVERNOR FOR ACTION

House Status: 4/29/2021 – Comp SB substituted



**\*\*SB0028 – Powers/HB1028 - Kumar**

**Authorizes local governments to prohibit smoking on playgrounds**

As introduced, authorizes a municipality, a county, or a county having a metropolitan form of government to prohibit the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, or public greenway as long as the public park, public playground, or public greenway is owned or controlled by the respective municipality or county.

*Present law generally pre-empts local regulation of the use of tobacco products. There are several exception to the general prohibition, some of which are county specific, some of which apply to particular forms of governmental entity such as airport authorities and special school districts, and some of which apply to all counties and municipalities. One of the exceptions authorizes local governments to prohibit smoking on the grounds of a playground by adopting a resolution or ordinance approved by a two-thirds vote of the legislative body of the local government. This bill replaces authorization for local governments to prohibit smoking on the grounds of a playground. This bill authorizes a municipality, a county, or a county having a metropolitan form of government to prohibit the use of tobacco products or vapor products, or both, on the grounds of a public park, public playground, public greenway, or any public property that is accessible to use by persons under 21 years of age as long as the public park, public playground, public greenway, or public property is owned or controlled by the respective municipality or county. A prohibition enacted pursuant to this bill will not apply to buildings, sidewalks, or roads.*

**Senate Status:** 5/13/2021 – SIGNED BY HOUSE AND SENATE SPEAKER

**House Status:** 5/05/2021 – Comp. SB substituted

#### **TORT LIABILITY AND REFORM:**

**\*\*SB0915 – Kelsey/HB1072-Curcio**

**Caption Bill: Right of Local Governments to Challenge Constitutionality of State Laws**

As introduced, deletes references to a repealed provision of law.

**Caption Bill.** The caption was amended in the respective committees to seek to accomplish two objectives. First, the amended language would have required a chancery or circuit court to grant an immediate and automatic stay to any injunction, if the court found that a state statute was unconstitutional. As such, the unconstitutional law would remain in effect until all appeals had been exhausted. Second, the amended language would have precluded local government from challenging the constitutionality of any state law. TML opposed the substitute amendment and successfully enlisted the support of a majority of senators in opposition to the amendment. After deferring consideration several times and introducing six (6) different amendments, the Senate sponsor finally settled upon an amendment that retained local government's right to challenge the constitutionality of a state law, absent any limitation or qualification. In addition, the automatic stay of any injunction associated with a ruling adverse to the state was removed, preserving the courts discretion to grant an appeal based on its merits.

**Senate Status:** 4/26/2021 – Companion HB Substituted

**House Status:** 5/14/2021 – TRANSMITTED TO GOVERNOR FOR HIS ACTIONS

**WATER POLLUTION:**

**\*\*SB0113 – Gardenhire / HB0199 – Carter**      **Stormwater Management – Abatement of fees owed by property owner**

As introduced, requires a municipality to abate the storm water fees owed by a property owner until such fees equal the construction costs of any holding or retention ponds constructed by the property owner pursuant to the Clean Water Act. *TAPA Analysis: This bill appears to relieve a property owner (developer) of permit fees in the construction retention ponds in the process of development. This would result in an increase in costs to the cities.*

**Senate Status:**            **3/18/2021 – Refer to Senate Finance, Ways & Means Committee**

**House Status:**           **3/23/2021 – Defer to Summer Study in Ag. & Natural Resources Subcomm.**

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**BOARD OF COMMISSIONERS MEETING**

Minutes  
May 18, 2021  
6:00 p.m.

- I. **Call to Order** – Mayor Hollie Berry called the meeting to order at 6:00 p.m.
- II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr.; Special Counsel for the City, Mark Litchford, Special Counsel for Tim Thornbury, Sam Elliott; City Recorder Tracey Perry and those listed on Exhibit A.
- III. **Invocation** – presented by Pastor Eddie Ellison, Middle Cross Baptist Church
- IV. **Pledge of Allegiance** – led by City Manager Thornbury
- V. **Consideration of the Minutes for approval or correction:**
  - A. **May 4, 2021 Agenda Work Session**  
Commissioner LeCompte made a motion to approve as written, seconded by Commissioner Phillips. Motion carried with all Commissioners voting “yes”.
  - B. **May 4, 2021 Commission Meeting**  
Commissioner LeCompte made a motion to approve as written, seconded by Commissioner Phillips. Motion carried with all Commissioners voting “yes”.
  - C. **May 7, 2021 Special Called Commission Meeting**  
Commissioner Jenó made a motion to approve as written, seconded by Commissioner LeCompte. Motion carried with all Commissioners voting “yes”.
  - D. **May 10, 2021 Special Called Commission Meeting**  
Vice Mayor Dalton made a motion to approve as written, seconded by Commissioner Phillips. Motion carried with all Commissioners voting “yes”.
  - E. **May 11, 2021 Budget Workshop**  
Commissioner Jenó made a motion to approve as written, seconded by Commissioner LeCompte. Motion carried with all Commissioners voting “yes”.
  - F. **May 11, 2021 Special Called Commission Meeting**  
Commissioner Jenó made a motion to approve as written, seconded by Mayor Berry. Motion carried with all Commissioners voting “yes”.
- VI. **Communication from Mayor Hollie Berry**
  - Thanked the many citizens and media outlets that attended the Blue Bird Trail grand opening. 12 boxes were installed and 1 already has a nest in it.
  - Thanked Bridgett Raper for helping get the word out on the event and for providing the information at the Work Session.
  - There is a scheduled budget hearing tomorrow at 4:15 p.m. The public is invited.
  - The next Red Bank Community Food Pantry will be May 20, from 5-6 p.m.
  - The Red Bank pool will be opening on Memorial Day weekend.

- The South East TN Area Agency on Aging and Disability is looking for volunteers for the MyRide Program. Please call 423-424-4201 or email [myride@sedb.org](mailto:myride@sedb.org) if interested in volunteering.
- Made a statement to correct and clarify some incorrect information and statements made at the May 4, 2021 Commission Meeting.

## **VII. Commissioner's Reports**

### **A. Vice Mayor Stefanie Dalton**

- Welcomed everyone.
- Glad to see so many citizens engage and encouraged the citizens to continue doing so.
- May 22 is a free family photo event at White Oak Park from 9 a.m. to 1 p.m. Some walk-ups may be available. There will also be bike giveaways. Thanked Trust for Public Land and Family Voices of TN, BeCaffeinated, Brooke Bragger Photography, Friends of Red Bank Park and White Oak Bicycle Co-Op for helping make this event happen.
- White Oak Bicycle Co-Op is a Red Bank 501c3 Non-profit organization that offers free bikes and bike repair to those in need.
- L&E Wholesale, 4825 Dayton Blvd, Suite C will hold their 3<sup>rd</sup> Saturday Market May 29 from 12-6 p.m. – will feature local vendors, artists, makers, clothing swap and a Food Truck from Red Bank's own Polita's.
- Alpine Crest Elementary announced that Ashley Cross will be their new principal next year and they will be designated as an ESOL site next year as well.
- Local school are hosting graduation/promotion ceremonies over the next 2 weeks.
- Red Bank High School is hosting their 81<sup>st</sup> graduating class tonight. Graduating students statistics and scholarships: \$494,949 in TN Promise Scholarships, \$333,250 in TN Hope Scholarships, \$93,554 in private scholarships and \$339,951 in Institutional Scholarships for a grand total of \$1,261,704 in awards.
- Proud of all our students and how they have adapted during this pandemic.
- Made a statement to correct and clarify some incorrect information and statements made at the May 4, 2021 Commission Meeting.

### **B. Commissioner Jenó**

- Welcomed everyone.
- Condolences to the family of State Representative Mike Carter.
- Congratulations to Eddie Iles and Josh Hammill of the Red Bank Fire Department for receiving the Star of Life Award on May 12, 2021 for saving the life of Travis Ramsey, involved in a crash, on February 25, 2020. They were assisted by Ian Morrow and Bob Bedell of the Red Bank Police Department.
- Firefighters Day was May 4, National Police Week was May 11-17, National Law Enforcement Week was May 9-15 and this week is National EMT week. Thanked all the families of all of these groups.
- Baseball is back. There is a tournament in Red Bank this week.

### **C. Commissioner LeCompte**

Welcomed everyone here.

### **D. Commissioner Phillips**

- Thanked everyone for coming out.
- Spoke on his concept of a Strategic Planning process that he brought up in the Work Session earlier this evening. Would like to use the team approach in moving our City forward. This

would be utilizing citizens on the teams, which would meet weekly and report to the Commission. When the task is complete, the team is either disbanded or reassigned to a new task. Each team has a focus. The team works out a plan that is then presented to the Commissioner that heads the team. Commissioners advise on their teams at each meeting. It should be possible to have the team meetings on Zoom or in person.

#### **VIII. City Manager Report**

- No report.

#### **IX. PUBLIC HEARINGS**

##### **1. Rezoning request for 336 Sweetland Drive, Hamilton County Tax Map 126C Group F Parcel 10, from R-1 Residential to R-3 Residential**

Charlotte Franklin, applicant, was present. Her home is divided into an upper and lower floor. She lives on the upper floor and rents the lower floor. She would like to use the lower floor as an Air B&B for the added income. Some discussion ensued. Mayor Berry explained that the Board is trying to get away from spot zoning and she would like to find a non-zoning way to address requests such as these. The Planning Commission recommended denial due to spot zoning and concerns related to screening requirements.

Carol Rose, Hunter Trail, spoke against spot zoning and having overnight rentals in her neighborhood. Families don't know who is supposed to be on their street when there are overnight rentals. No more citizen comments.

#### **X. UNFINISHED BUSINESS**

##### **A) AGENDA ITEM NO. 21-856 FOR DELIBERATION AND VOTE**

##### **1. EMPLOYMENT CONTRACT FOR CURRENT CITY MANAGER; ALL MATTERS RELATED TO CITY MANAGER THORNBURY'S EMAIL DATED APRIL 16, 2021; AMENDING CITY MANAGER EMPLOYMENT AGREEMENT**

Special Counsel Mark Litchford explained that there are 4 possible ways to go with the current situation at hand: Mr. Thornbury resigns, continues to work, is terminated or an arrangement is reached. Under the current employment contract, if he is fired, he would receive 12 months of pay as severance and provide no assistance to the City. What Mr. Thornbury has proposed is compensation for 10 months with assistance to the City – continue doing commercial building inspections until an inspector is hired or certified, complete the FY 21-22 budget presentation, complete the 9 TDOT projects already in process, continue to work with the National Forestry Service on the land-swap of the Old Middle School property, assist the Interim City Manager and assist the new City Manager as needed through March 31, 2022. The current amendment contains a concession from Mr. Thornbury that he will back out of the vehicle allowance and continued accrual of leave time on October 31, 2021 if this proposal is accepted tonight. Discussion ensued. Vice Mayor proposed that Mr. Thornbury step back into the Public Works role and continue to receive his current salary. More discussion. Commissioner Phillips reiterated that there are 4 choices here, and two of those choices, resignation or continued work, are now off the table. Commissioner Phillips made a motion to accept the amended agreement set forth today, seconded by Commissioner LeCompte. More discussion. Mayor Berry made a motion to change anywhere it says March 31, 2022 in the agreement to November 6, 2021. Discussion ensued. Attorney Elliott indicated that Mr. Thornbury is not agreeable to this amendment. Mayor Berry withdrew the motion. More discussion. Mayor Berry made a motion to amend the agreement to provide that after May 18, 2021, Mr. Thornbury will step into the role of full time Public Works

Director. Attorney Elliott indicated that Mr. Thornbury is not agreeable to this amendment. Mayor Berry withdrew her motion. No further discussion by the Board.

Mayor Berry called for citizen comments. David Hafley, 4621 Hunter Trail, stated he believes the Board would be well served to accept the terms of Mr. Thornbury's agreement. Julie Goss, 3713 Oleda Terrace, spoke in favor of following the personnel policy. Kathy Lennon, 401 Crisman St, spoke on the challenges that both employers and employees face when dealing with change. Cynthia Heron, 409 Marlow Dr, spoke of recent resignations/retirements and how it reflects on the Board's performance. Chris Wood, 3601 Dayton Blvd (BeCaffeinated), spoke on Mr. Thornbury's eligibility for retirement and the proposed agreement. Ann Wheeler, 427 Antelope Trail, spoke on the Board's responsibility in coming to an agreement. Jamie Harvey, 2409 Ashmore Ave, thanked Mr. Litchford for his assistance. Tyler Kraha, 2711 Berkley Drive, spoke on the length of time coming to agreement on this matter has taken. No more citizen comments.

Commissioner Phillips repeated his motion to accept the amended agreement as presented, again seconded by Commissioner LeCompte. Commissioner Phillips requested to call a vote. Motion carried with 3 Commissioners voting "yes" and 2 Commissioners voting "no".

**2. CONSIDERATION OF THE MINUTES OF THE SPECIAL CALLED MEETING ON APRIL 26, 2021 FOR APPROVAL OR CORRECTION**

Commissioner LeCompte made a motion to approve as written, seconded by Commissioner Jenó. Motion carried with all Commissioners voting "yes".

**3. MTAS – RECRUITMENT AND HIRING PROCESS FOR A NEW CITY MANAGER**

Honna Rogers, of MTAS, gave a presentation to the Board concerning how they could assist the City in the search for a new City Manager on April 26, 2021. The Board has already agreed to move forward with the assistance of MTAS and, by consensus, confirmed that determination.

**4. SELECTION, APPOINTMENT AND COMPENSATION FOR INTERIM CITY MANAGER**

Mayor Berry made a motion to appoint John Alexander as Interim City Manager, seconded by Commissioner Jenó. No citizen comments. No discussion by the Board. The motion carried with all Commissioners voting "yes". Commissioner Jenó made a motion to set John Alexander's salary at \$ \_\_\_\_\_ per annum, which is equivalent to that of the outgoing City Manager, for the duration of his time as Interim City Manager, seconded by Commissioner LeCompte. No citizen comments. Some discussion by the Board. The motion carried with all Commissioners voting "yes".

**B) ORDINANCE NO. 21-1189 ORDINANCE NO. 21-1189 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 IN ORDER TO APPROPRIATE UNBUDGETED EXPENDITURES AND GRANT FUNDING (second and final reading)**

Mayor Berry read the intent of the Ordinance. Commissioner LeCompte made a motion to approve, seconded by Commissioner Phillips. Some discussion. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jenó "yes", Commissioner LeCompte "yes", Commissioner Phillips "yes". Ordinance No. 21-1189 was approved on second and final reading with all commissioners voting "yes".

**XI. NEW BUSINESS**

**A) ORDINANCE NO. 21-1190 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING ORDINANCE AND MAPS OF THIS CITY TO REZONE PROPERTY LOCATED AT 336 SWEETLAND DRIVE FROM R-1 RESIDENTIAL TO R-3 RESIDENTIAL PURSUANT TO CERTAIN RESTRICTIONS (first reading)**

Mayor Berry read the caption and summarized the intent of the Ordinance. The Public Hearing from earlier this evening, wherein the concepts of spot zoning and the recommended denial by the Planning Commission were discussed, was referenced. Commissioner LeCompte made a motion to deny this Ordinance, seconded by Commissioner Phillips. Some discussion by the Board. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes", Commissioner Phillips "yes". Ordinance No. 21-1190 was denied on first reading with all commissioners voting "yes" to deny the rezoning.

**XII. Citizen Comments from Red Bank Citizens**

**Jamie Harvey**, 2409 Ashmore Ave – Thanked to Board for the pedestrian signs. Requested that the agenda be adjusted back to specifying if Citizen Comments are on Items on the Agenda or Not on the agenda. Invited citizens to meet up at Red Bank United Methodist this Sunday from 6:00 to 6:45 just to talk. The Board verbally agreed to modifying the Agenda as requested. **Christian Gonzalez**, 106 Harding Road – part of the White Oak Bicycle Co-Op, announced the Family Fun Day at White Oak Park from 9 to 1 on May 22. They accept donations, both money and bikes. More information can be found at [whiteoakbicycle.org](http://whiteoakbicycle.org). **Chris Wood**, BeCaffeinated – will be at the Family Fun Day with coffee. Offered to be a drop off location for the donations to White Oak Bicycle Co-Op.

**XIII. Adjournment**

A motion to adjourn was made by Commissioner Phillips, seconded by Vice Mayor Dalton. Motion carried with all Commissioners voting "yes". The meeting was adjourned at 8:05 p.m.

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Mayor Hollie Berry

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Date

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City Recorder Tracey Perry

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Date

*City of Red Bank*  
**BUDGET WORKSHOP**

Minutes  
May 19, 2021  
4:15 p.m.

The Board of Commissioners met in a public and duly advertised Budget Workshop on May 19, 2021 at 4:15 p.m. The date, time and location of the meeting were advertised in the Chattanooga Times Free Press on the City's Facebook page and on the City of Red Bank website together with instructions and an internet link to enable virtual attendance by the public. The purpose of the meeting was to discuss FY 2022 proposed budget. Those in attendance were Mayor Hollie Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte and Commissioner Pete Phillips. Also present were Interim City Manager John Alexander, City Recorder Tracey Perry and those listed on Exhibit A.

**I. Call to Order** – Mayor Berry called the workshop to order at 4:15 p.m.

**II. Roll Call** – Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Recorder Tracey Perry, Interim City Manager and Finance Director John Alexander, Fire Chief Mark Mathews, Deputy Fire Chief Brent Sylar and those listed on Exhibit A.

**III. ITEMS FOR DISCUSSION**

**DISCUSSION OF PROPOSED FISCAL YEAR 2021-2022 BUDGET**

- Interim City Manager and Finance Director Alexander presented the proposed budget for the following:
  - Public Works, State Street Aid, Solid Waste, Recycling and Stormwater, all of which were discussed, reviewed and questions responded to with thoughts, concepts and ideas being shared by and between the Commissioners and the interim City Manager
- Additional items discussed to be added to the budget or long-term plan:
  - New sign for City Hall
  - New "Welcome to Red Bank" signs
  - New pedestrian crossing signs and lights, new paint on islands (after resurfacing is completed)
  - Pickle Ball courts behind Police Department
  - Scoreboard and Concession Stand repair/maintenance and handicap parking at ballfields
  - Solar powered Speed detection devices (possibly 3)
- The following requests were made for consideration at the next scheduled Budget Workshop:
  - Mayor Berry requested to have the Curb-side Recycling and Compensation for the Planning Commission budgeted for consideration
  - Vice Mayor Dalton requested to see a budget with various salary increases included for consideration
  - The Board requested to see a budget with a 3% raise for consideration



#### **IV. ADJOURNMENT**

Vice Mayor Dalton made a motion to adjourn the workshop, seconded by Mayor Berry. The workshop adjourned at 7:06 p.m.

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Mayor Hollie Berry (date)

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City Recorder Tracey Perry (date)

Hollie Berry  
Mayor

*City of Red Bank*  
**BUDGET WORKSHOP**

John Alexander  
Interim City Manager

Minutes  
May 24, 2021  
4:15 p.m.

The Board of Commissioners met in a public and duly advertised Budget Workshop on May 24, 2021 at 4:15 p.m. The date, time and location of the meeting were advertised in the Chattanooga Times Free Press on the City's Facebook page and on the City of Red Bank website together with instructions and an internet link to enable virtual attendance by the public. The purpose of the meeting was to discuss FY 2022 proposed budget. Those in attendance were Mayor Hollie Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte and Commissioner Pete Phillips. Also present were Interim City Manager John Alexander, City Recorder Tracey Perry and those listed on Exhibit A.

**I. Call to Order** – Mayor Berry called the workshop to order at 4:15 p.m.

**II. Roll Call** – Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Recorder Tracey Perry, Interim City Manager and Finance Director John Alexander, Fire Chief Mark Mathews, Deputy Fire Chief Brent Sylar, Chief Dan Seymour and those listed on Exhibit A.

**III. ITEMS FOR DISCUSSION**

**DISCUSSION OF PROPOSED FISCAL YEAR 2021-2022 BUDGET**

Curb-side Recycling – General consensus of the Board was to initiate the program. The truck will be financed. The Solid Waste and Recycling fees will be lumped together as one fee.

Minimum pay increase to \$15/hr within the next 2-3 years – General consensus of the Board was to bring the pay rate of all employees making less than \$15/hr in the Fire Department and Public Works Department up to \$15/hr and maintain the pay gaps by raising all other employees in those 2 departments by the same increment, excluding Department Heads and Administrative staff.

Compensation for the Planning Commission – Consensus of the Board was to approve compensation of \$300/yr for each member of the Planning Commission.

3% raise vs. 2% raise – Discussed, no consensus as yet. Will continue to look at 2% vs 3% raise for everyone not effected by the minimum increase to \$15/hr referenced above.

New "Welcome to Red Bank" signs – put on hold until a later date

Upgrade to recording equipment for Commission Meeting Room– put on hold until a later date, may qualify for grant funding

New sign for City Hall – put on hold until a later date

Pedestrian Islands – Install flashing safety lights

Library Pilot Program – City will buy 50 library cards at \$50/ea, will offer to Red Bank

Citizens on first come first serve basis for \$25/ea. Restrictions shall apply.

Update City website – put on hold until a later date

Another Budget Workshop scheduled for June 1, 2021 at 4:15 p.m.

#### **IV. ADJOURNMENT**

Commissioner Jeno made a motion to adjourn the workshop, seconded by Vice Mayor Dalton. The workshop adjourned at 7:00 p.m.

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Mayor Hollie Berry (date)

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City Recorder Tracey Perry (date)

## **ORDINANCE NO. 21-1191**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PROVIDE FOR THE GENERAL REVENUE THEREOF FOR THE FISCAL YEAR 2021-2022 ON AN INTERIM BASIS PENDING RECEIPT OF THE “CERTIFIED RATE” FROM THE ASSESSOR OF PROPERTY OF HAMILTON COUNTY, TENNESSEE, PURSUANT TO T.C.A. SECTION 67-5-1701, TO BE KNOWN AS THE GENERAL REVENUE ORDINANCE FOR SAID YEAR**

WHEREAS, pursuant to the provisions of T.C.A. §67-5-1601 et seq., the Hamilton County Assessor of Property has recently completed or is in the process of completing the reappraisal process therein required; and

WHEREAS, as of the adoption of this Ordinance, the Assessor of Property has not as yet provided to the City of Red Bank the “certified tax rate” mandated by T.C.A. §67-5-1701, which rate is calculated so as to provide the same ad valorem revenue for the City of Red Bank as was levied during the fiscal year 2018-2019; and

WHEREAS, it is necessary, and required by other provisions of law, that the city set its tax rate for the ensuing fiscal year on or before June 30 of each year; and

WHEREAS, projected budgetary requirements for the fiscal year 2021-2022 make it likely that revenues in excess of that raised by the tax rate for the fiscal year 2020-2021 will have to be raised but that it is also necessary that the requirements of T.C.A. §67-5-1702 be properly complied with.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF RED BANK, TENNESSEE, AS FOLLOWS:

SECTION 1. Pending receipt of the “certified tax rate” pursuant to T.C.A. §67-5-1701 from the Hamilton County Tax Assessor, that there be and there is hereby levied a tax on each \$100 of taxable property in the City of Red Bank, Tennessee, as of January 1, 2021 for the fiscal year July 1, 2021 through June 30, 2022, as follows:

“General Fund Tax”	\$1.39
Total Tax	\$1.39

SECTION 2. Provided further that conditioned upon compliance with the provisions of T.C.A. §67-5-1702, that the City may subsequently set a tax rate equal to, in excess of or less than the certified rate by resolution and/or by subsequently enacted ordinance.

SECTION 3. The engaging in any vocation, occupation business or business activity, enumerated, described or hereby declared to be a privilege, and each person defined in said Act, shall pay for exercising said privilege to this City the sums authorized and permitted to be charged by municipalities under the provisions of said Act. All of the provisions of said Chapter 387, Public Acts of Tennessee for the year 1971, insofar as they are applicable to, or pertaining to, the levying of taxes, by a municipality, are hereby adopted as fully and completely as though specifically set forth therein.

SECTION 4. This ordinance shall be known as the General Revenue Ordinance for the fiscal year 2021-2022, and until such time as an ordinance or, as provided above, a resolution, amending this Ordinance can be enacted, shall hereafter be automatically amended and adjusted, based on the assessment to be certified by the Hamilton County Assessor of Property so as to produce the revenues necessary to meet the budget requirements of Ordinance No. 21-1192, for the "General Fund Tax" and the Total Tax, as set forth in Section 1 hereof, supra, and this Ordinance shall take effect from and after the date of its final passage, the public welfare of the City of Red Bank, Tennessee, requiring it.

SECTION 5. All Ordinances or part of Ordinances in conflict herewith are hereby repealed.

SECTION 6. Every section, sentence, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause or phrase.

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MAYOR HOLLIE BEERY (DATE)

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CITY REC. TRACEY PERRY (DATE)

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PASSED ON FIRST READING

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PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:

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CITY ATTORNEY

**ORDINANCE NO. 21-1192**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE OF \$1.39 FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022**

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Board of Mayor and Commissioner's has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriations and planned expenditures for each department, boards, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpected and unencumbered funds as follows for fiscal year 2021, and including the projected ending balances for the budget year; the actual ending balance for the most recent ended fiscal year and the estimated ending fund balances for the current fiscal year:

GENERAL FUND	Actual FY 2020	Estimated FY 2021	Budget FY 2022
<b><u>Cash Receipts</u></b>			
Local Taxes	\$ 5,101,472.00	\$ 5,174,821.00	\$ 5,109,300.00
State Shared Taxes	\$ 1,136,127.00	\$ 1,251,514.00	\$ 1,179,500.00
Other Revenue Sources	\$ 386,051.00	\$ 717,299.00	\$ 259,398.00
<b>Total Cash Receipts</b>	<b>\$ 6,623,650.00</b>	<b>\$ 7,143,634.00</b>	<b>\$ 6,548,198.00</b>

**Appropriations**

Judicial	\$ 150,286.00	\$ 143,231.35	\$ 150,917.00
Legislative	\$ 47,405.00	\$ 47,283.00	\$ 68,150.00
Finance & Administration	\$ 661,137.00	\$ 707,653.09	\$ 673,330.00
Insurance	\$ 914,606.00	\$ 957,356.00	\$ 1,041,680.00
Police	\$ 1,797,986.24	\$ 1,820,438.00	\$ 2,105,796.00
Fire	\$ 1,252,230.00	\$ 1,373,540.00	\$ 1,421,054.00
Public Works	\$ 1,285,026.75	\$ 2,094,708.16	\$ 1,586,156.00
Parks	\$ 108,124.00	\$ 105,206.00	\$ 210,005.00
<b>Total Appropriations</b>	<b>\$ 6,216,800.99</b>	<b>\$ 7,249,415.60</b>	<b>\$ 7,257,088.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 406,849.01</b>	<b>\$ (105,781.60)</b>	<b>\$ (708,890.00)</b>

Beginning Fund Balance	\$ 7,012,157.99	\$ 7,419,007.00	\$ 7,313,225.40
Ending Fund Balance	\$ 7,419,007.00	\$ 7,313,225.40	\$ 6,604,335.40

STATE STREET AID	Actual FY 2020	Estimated FY 2021	Budget FY 2022
<b><u>Cash Receipts</u></b>			
State Highway and Street Fund	\$ 416,111.00	\$ 402,232.00	\$ 400,000.00
Interest Earnings	\$ 19,736.00	\$ 2,029.00	\$ 2,000.00
Insurance Recovery	\$ 4,500.00	\$ 99,378.00	\$ -
<b>Total Cash Receipts</b>	<b>\$ 440,347.00</b>	<b>\$ 503,639.00</b>	<b>\$ 402,000.00</b>
<b><u>Appropriations</u></b>			
Operation	\$ 189,890.00	\$ 826,684.00	\$ 190,150.00
Debt Service	\$ 178,102.00	\$ 176,022.00	\$ 175,177.00
Capital	\$ 14,057.00	\$ -	\$ -
<b>Total Appropriations</b>	<b>\$ 382,049.00</b>	<b>\$ 1,002,706.00</b>	<b>\$ 365,327.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 58,298.00</b>	<b>\$ (499,067.00)</b>	<b>\$ 36,673.00</b>
Beginning Fund Balance	\$ 1,388,077.00	\$ 1,446,375.00	\$ 947,308.00
Ending Fund Balance	\$ 1,446,375.00	\$ 947,308.00	\$ 983,981.00

SOLID WASTE	Actual FY 2020	Estimated FY 2021	Budget FY 2022
<b><u>Cash Receipts</u></b>			
Sanitation Charges	\$ 931,045.00	\$ 957,152.00	\$ 1,105,000.00
Interest Earnings	\$ 9,906.00	\$ 1,396.00	\$ 1,000.00
Insurance Recovery	\$ -	\$ -	\$ -
Other Revenue Sources	\$ 39,723.00	\$ 32,265.00	\$ -



<b>Total Cash Receipts</b>	\$ 980,674.00	\$ 990,813.00	\$ 1,106,000.00
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**Appropriations**

Personnel	\$ 429,792.00	\$ 460,712.00	\$ 542,982.00
Operations	\$ 307,248.00	\$ 303,022.00	\$ 412,505.00
Debt Service	\$ -	\$ -	\$ -
Capital	\$ 157,753.00	\$ 494,446.00	\$ -
<b>Total Appropriations</b>	<b>\$ 894,793.00</b>	<b>\$ 1,258,180.00</b>	<b>\$ 955,487.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 85,881.00</b>	<b>\$ (267,367.00)</b>	<b>\$ 150,513.00</b>

Beginning Fund Balance	\$ 1,003,095.00	\$ 1,088,976.00	\$ 821,609.00
Ending Fund Balance	\$ 1,088,976.00	\$ 821,609.00	\$ 972,122.00

STORMWATER	Actual FY 2020	Estimated FY 2021	Budget FY 2022
<b><u>Cash Receipts</u></b>			
Property Taxes (Prior Year)	\$ -	\$ -	\$ -
Interest / Penalty	\$ 1,063.00	\$ 1,236.00	\$ 1,100.00
Interest Earnings	\$ 2,497.00	\$ 96.00	\$ 125.00
Stormwater Fees	\$ 265,677.00	\$ 282,217.00	\$ 305,000.00
<b>Total Cash Receipts</b>	<b>\$ 269,237.00</b>	<b>\$ 283,549.00</b>	<b>\$ 306,225.00</b>

<b><u>Appropriations</u></b>			
Personnel	\$ 119,177.00	\$ 124,105.00	\$ 130,893.00
Operations	\$ 105,643.00	\$ 111,742.00	\$ 139,260.00
Capital	\$ 39,881.00	\$ 76,984.00	\$ -
<b>Total Appropriations</b>	<b>\$ 264,701.00</b>	<b>\$ 312,831.00</b>	<b>\$ 270,153.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 4,536.00</b>	<b>\$ (29,282.00)</b>	<b>\$ 36,072.00</b>

Beginning Fund Balance	\$ 356,392.00	\$ 360,928.00	\$ 331,646.00
Ending Fund Balance	\$ 360,928.00	\$ 331,646.00	\$ 367,718.00

DRUG FUND	Actual FY 2020	Estimated FY 2021	Budget FY 2022
<b><u>Cash Receipts</u></b>			
Impound Fees	\$ -	\$ -	\$ -
Drug Related Fines	\$ 4,231.00	\$ 5,370.00	\$ 4,000.00
DEA Asset Sharing Pmts	\$ 34,155.00	\$ 3,174.00	\$ 10,000.00
Interest Earnings	\$ 999.00	\$ 32.00	\$ 100.00

Sale of Equipment	\$ 10,645.00	\$ 1,500.00	\$ 2,000.00
Insurance Recovery	\$ -	\$ -	\$ -
Drug Seizures	\$ 2,444.00	\$ 3,790.00	\$ 10,000.00
<b>Total Cash Receipts</b>	<b>\$ 52,474.00</b>	<b>\$ 13,866.00</b>	<b>\$ 26,100.00</b>

**Appropriations**

Operations	\$ 23,280.00	\$ 2,152.00	\$ 7,755.00
Capital	\$ 7,440.00	\$ 99,068.00	\$ 12,440.00
<b>Total Appropriations</b>	<b>\$ 30,720.00</b>	<b>\$ 101,220.00</b>	<b>\$ 20,195.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 21,754.00</b>	<b>\$ (87,354.00)</b>	<b>\$ 5,905.00</b>

Beginning Fund Balance	\$ 96,455.00	\$ 118,209.00	\$ 30,855.00
Ending Fund Balance	\$ 118,209.00	\$ 30,855.00	\$ 36,760.00

IMPOUND FUND	Actual FY 2020	Estimated FY 2021	Budget FY 2022
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**Cash Receipts**

Impoundment Charges	\$ -	\$ 445.00	\$ 750.00
Impoundment Fees	\$ -	\$ 850.00	\$ 750.00
Sale of Equipment	\$ 10,439.00	\$ -	\$ 1,500.00
<b>Total Cash Receipts</b>	<b>\$ 10,439.00</b>	<b>\$ 850.00</b>	<b>\$ 2,250.00</b>

**Appropriations**

Operations	\$ 761.00	\$ 1,745.00	\$ 13,000.00
Capital	\$ -	\$ -	\$ -
<b>Total Appropriations</b>	<b>\$ 761.00</b>	<b>\$ 1,745.00</b>	<b>\$ 13,000.00</b>
<b>Surplus / (Deficit)</b>	<b>\$ 9,678.00</b>	<b>\$ (895.00)</b>	<b>\$ (10,750.00)</b>

Beginning Fund Balance	\$ 12,202.00	\$ 21,880.00	\$ 20,985.00
Ending Fund Balance	\$ 21,880.00	\$ 20,985.00	\$ 10,235.00

SEWER FUND	Actual FY 2020	Estimated FY 2021	Budget FY 2022
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**Cash Receipts**

Interest Earnings	\$ 439.00	\$ 19.00	\$ 20.00
Rent - Sewer Plant	\$ 8,413.00	\$ 8,413.00	\$ 8,413.00
Contributions from WWTa	\$ 492,204.00	\$ 123,111.00	\$ -
<b>Total Cash Receipts</b>	<b>\$ 501,056.00</b>	<b>\$ 131,543.00</b>	<b>\$ 8,433.00</b>

**Appropriations**

Operations	\$ 516,595.00	\$ 123,111.00	\$ -
<b>Total Appropriations</b>	<b>\$ 516,595.00</b>	<b>\$ 123,111.00</b>	<b>\$ -</b>
<b>Surplus / (Deficit)</b>	<b>\$ (15,539.00)</b>	<b>\$ 8,432.00</b>	<b>\$ 8,433.00</b>
Beginning Fund Balance	\$ 51,185.00	\$ 35,646.00	\$ 44,078.00
Ending Fund Balance	\$ 35,646.00	\$ 44,078.00	\$ 52,511.00

SECTION 2: At the end of the fiscal year 2021; the governing body estimates fund balances or deficits as follows:

General Fund	\$7,313,225.40
State Street Aid Fund	\$ 947,308.00
Solid Waste Fund	\$ 821,609.00
Sewer Fund	\$ 44,078.00
Stormwater Fund	\$ 331,646.00
Drug Fund	\$ 30,855.00
Impound Fund	\$ 20,985.00

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

<b>Debt Principal</b>	<b>Interest Requirements</b>	<b>Debt Authorized and Unissued</b>	<b>Principal Outstanding at June 30</b>
\$ 394,106	\$ 76,951	\$ 785,000	\$ 1,626,000
\$ 163,700	\$ 11,477		\$ 414,400

SECTION 4: During the coming fiscal year (2022) the governing body has pending and planned capital projects with proposed funding as follows:

<b>Proposed Capital Projects</b>	<b>Proposed Amount Financed by Appropriations</b>	<b>Proposed Amount Financed by Debt</b>
\$ 785,000	\$ 98,106	\$ 686,894

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208 et seq.. In addition, no

appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$1,000 by the Finance Director, subject to such limitations and procedures as set by Section 6-56-209 of the Tennessee Code Annotated. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 8: There is hereby levied a property tax of \$1.39 per \$100 of assessed value on all real property located in the City.

SECTION 9: The annual operating and capital budget ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptrollers' Designee for approval if the City has debt issued pursuant to Title 9, Chapter 21, of the Tennessee Code Annotated, within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee, in accordance with Title 9, Chapter 21 of the Tennessee Code Annotated (the "Statutes"). If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust the estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the City does not have such debt outstanding, it will file this annual operating and capital budget ordinance and supporting documents with the Comptroller of the Treasury or the Comptroller's Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect July 1, 2021, the public welfare requiring it.

\_\_\_\_\_  
Mayor Hollie Berry (date)

ATTESTED:

\_\_\_\_\_  
City Recorder Tracey Perry (date)

\_\_\_\_\_  
Approved on First Reading

\_\_\_\_\_  
Approval on Second and Final Reading

Approved as to Form:

\_\_\_\_\_  
City Attorney Arnold Stulce, Jr.

**ORDINANCE NO. 21-1193**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET YEAR END APPROPRIATION OVERAGES**

**WHEREAS**, the City of Red Bank has the FY 2021 Operating Budget appropriated through Ordinance No. 20-1170; and

**WHEREAS**, Section 6 of the Ordinance states that at the end of the fiscal year, the Finance Director is authorized to transfer funds as necessary in order that budgeted appropriations not be exceeded in each Department and that the transfer of funds shall not result in an increase in the total Fiscal Year 2021 Budget; and

**WHEREAS**, it is necessary for the City of Red Bank to request Commission approval to increase the total funding in the FY 2021 Operating Budget for items which have exceeded budgeted appropriations, were not anticipated, or are carry-over items from the previous fiscal year; and

**WHEREAS**, funding is available from various revenue sources which will balance the increase in expenditure appropriations.

**NOW, THEREFORE, BE IT ORDAINED** by the Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. That the FY 2021 Operating Budget be and is hereby amended to increase the revenue and expenditure appropriations as provided:

**GENERAL FUND  
REVENUES**

Grant Funding	\$1,094,935.00
Fund Balance	\$ 9,307.00
<b>TOTAL REVENUES</b>	<b><u>\$1,104,242.00</u></b>

**EXPENDITURES**

Public Works – TIP Projects	
PIN# 121881	\$ 598,466.00
PIN# 116152	\$ 425,045.00
PIN# 121880	\$ 71,424.00
Fund Balance	\$ 9,307.00
<b>TOTAL EXPENDITURES</b>	<b><u>\$1,104,242.00</u></b>

***STORMWATER FUND***  
**REVENUES**

Fund Balance \$ 10,000.00

**TOTAL REVENUE** **\$ 10,000.00**

**EXPENDITURES**

Wiser Consulting – Fair St Project \$ 10,000.00

**TOTAL EXPENDITURE** **\$ 10,000.00**

SECTION 2. This ordinance shall take effect upon the date of its passage upon second and final reading, the welfare of the citizens of the City of Red Bank requiring it.

\_\_\_\_\_  
Mayor Hollie Berry (date)

\_\_\_\_\_  
City Recorder Tracey Perry (date)

\_\_\_\_\_  
Approved on First Reading

\_\_\_\_\_  
Approved on Second Reading

Approved as to Form:

\_\_\_\_\_  
City Attorney Arnold Stulce, Jr.

**RESOLUTION NO. 21-1406**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AUTHORIZING A MEMORANDUM OF UNDERSTANDING / INTERLOCAL AGREEMENT WITH HAMILTON COUNTY EMERGENCY SERVICES FOR FIRST RESPONDER SERVICES**

**WHEREAS**, the City of Red Bank and the Hamilton County Emergency Services(HCEMS) operate under the authorization of the Tennessee Department of Health and Environment, pursuant to standards adopted by the Tennessee Emergency Medical Services Board under the authority of Tennessee Code Annotated Section 68-104-301 et seq. ; and

**WHEREAS**, the purpose of the Memorandum of Understanding is to assure rapid response to persons in need of emergency medical assistance and to memorialize the criteria for response by First Responder Units; and

**WHEREAS**, the City of Red Bank, in cooperation with HCEMS, desires to provide first responder services to persons in need of emergency medical assistance thereby enhancing services to the public; and

**NOW, THEREFORE BE IT RESOLVED** by the Commission of the City of Red Bank that the Memorandum of Understanding / Interlocal Agreement with respect to first responder emergency response services between the Hamilton County Emergency Services and the City of Red Bank to persons in need of emergency medical assistance be and is hereby approved.

**BE IT FURTHER RESOLVED**, that the City Manager is authorized to sign and execute the contract upon approval by the City Attorney.

Resolved this 4<sup>th</sup> day of May 2021.

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Mayor Hollie Berry

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City Recorder Tracey Perry



HAMILTON COUNTY EMERGENCY MEDICAL SERVICES  
HAMILTON COUNTY GOVERNMENT

Pre-hospital Emergency Medical Care Agreement



Agreement between Hamilton County Emergency Medical Services and

City of Red Bank Fire Department

First Responder Agency name

Operating within the following districts of Hamilton County EMS' Service area

City of Red Bank, TN.

For the conduct and coordination of an Emergency Medical Response Program.

This agreement and Statement of Policies and Procedures are negotiated by and between the parties to organize and coordinate the effective provisions of pre-hospital emergency medical care.

WHEREAS, the parties are operating under the authorization of the Tennessee Department of Health and Environment, pursuant to standards adopted by the Tennessee Emergency Medical Services Board under the authority of Tennessee Code Annotated Section 68-140-301 et seq. and,

WHEREAS, the parties desire to assure rapid response to persons in need of emergency medical assistance.

NOW THEREFORE, the Parties enter into the following Articles of Agreement:

#### **FIRST RESPONDER AGENCY LEVELS**

Emergency Medical Responder (EMR) level:	<u>          X          </u>
Advanced EMT (AEMT) level:	<u>                          </u>
Paramedic (ALS) level:	<u>                          </u>

#### **FIRST RESPONDER AGENCY PERSONNEL/AUDIT INFORMATION**

Each first responder agency shall maintain copies of all certificates and licensures for each responder to be submitted to the HCEMS Training Officer QUARTERLY. A State EMS Spreadsheet will be provided and shall contain the following information:

1. Provider name
2. Driver's license
  - To include state, license number and license expiration date.
3. TN State EMS licensure level
  - To include licensure number and expiration date
4. TN State EMS approved Basic Life Support (BLS) card/certificate and the expiration date.
5. In-service hours. 6 hours are required annually.
  - List class description, date and number of hours
6. Vanessa K. Free training date, required annually

If the First Responder Agency is an ALS level service than all Paramedic's must also show proof of an in date Tennessee State EMS approved Advanced Cardiac Life Support (ACLS) certification and an approved trauma certification (ITLS or PHTLS)

#### **NATURE OF CALLS**

First responder units will be dispatched to any life threatening incident where ambulance unit arrival can be anticipated to exceed eight (8) minutes, any major-trauma related injury, as requested by the responding EMS unit, or to any designated medical emergency within their jurisdictional boundaries as approved by the Hamilton County EMS Medical Director. First responder units will not be dispatched to a request from an agency other than the primary EMS provider, as defined by State EMS regulations.

#### **DISPATCH AND RESPONSE PROCEDURES**

Upon receipt of an authorized emergency call within the service area, the telecommunicator will immediately notify the first responder agency and the appropriate ambulance crew. The telecommunicator will provide location, directions, incident type and any other pertinent information available. A complete list of all assigned first responder and call signs will be furnished to the Hamilton County 911 Center and Hamilton County EMS.

## **COMMUNICATION PROCEDURES**

Two-way radio communications will be maintained between response units and the Emergency Service Telecommunicator. Radio communications will be "plain language".

Upon arrival of the first responder unit on the scene, personnel should update communications as soon as reasonably possible. Information may include but not limited to:

- Nature of incident
- On scene hazards
- Need of additional resources
- Number of patients
- Etc.

## **CANCELLATION CRITERIA**

When a call for assistance is received, communications dispatches resources based on perceived need. Often, the situation is less serious than that described by the layperson in the field.

The first-arriving competent person (first responder, emergency medical personnel) will assess the situation and determine:

1. Does a medical emergency exist?
2. Are responding resources required?

If, in the judgment of the first arriving competent person as defined above, the incident is a non-injury event, or the patient refuses care and/or transport, communications will be advised and additional responding resources will be cancelled or slowed to non-emergency response as required.

If, in the judgment of the first arriving competent person as defined above, injuries are evident or possible injury exist, medical evaluation is required.

The following criteria will be utilized in evaluating patient care need:

- Mechanism of injury
- Trauma Score
- Vital signs
- Level of consciousness
- Age
- Anatomical Injury
- Distance of definitive care/transport time
- Medical History

An effort should be made to communicate patient condition directly with the responding paramedic on an assigned talk group. If this is not possible or feasible, the telecommunicator should be notified to relay the information.

After patient evaluation, and in the judgement of the health care provider, injuries are found to be minor and the patient refuses care and/or transport, the ambulance may be cancelled. An effort should be made to

communicate patient condition directly with the responding paramedic. If this is not possible or feasible, the telecommunicator should be notified to relay the information.

After patient evaluation, and in the judgement of the health care provider, injuries or illness is minor and/or the patient is stable, the ambulance may be advised to slow to non-emergency response. An effort should be made to communicate patient condition directly with the responding paramedic. If this is not possible or feasible, the telecommunicator should be notified to relay the information. A healthcare provider must remain on scene if the responding ambulance is NOT cancelled.

#### **PATIENT INFORMATION AND INCIDENT DATA**

The following information shall be recorded on each incident to be retained in a run report and maintained on file. This information will be available for inspection by representatives of Hamilton County EMS and will be furnished to them at their request. Information shall be at a minimum, but not limited to:

- Date
- Time of arrival
- Location
- Incident number
- Type of incident
- Responders information
  - Licensure
  - Level of responder who provided primary care
- Any procedure performed to include name of provider

Quality Assurance forms shall be sent to the HCEMS Training Officer and Deputy Director at the beginning of each month for each invasive procedure performed.

Monthly call logs will be examined randomly and must be sent in upon request.

#### **EQUIPMENT EXCHANGE AND SUPPLY**

Each first responder unit shall provide minimum approved equipment. Hamilton County EMS will supply the following items on an item-for-item basis for unit replacement:

- Bandaging supplies including: (as required by state EMS regulations)
  - Gauze pads
  - Surgi-pads
  - Multi-trauma dressings
  - Kerlix
  - Tape
  - Triangular bandages
  - Antibacterial wipes
- Airway maintenance devices including:
  - Oxygen tanks will be exchanged on a one-to-one basis for those services using Hamilton County EMS current oxygen supplier. This exchange does not include cylinder rental, repair, purchase, or maintenance.

- Oxygen masks/Bag-valve masks
- Nasal cannulas
- Oxygen tubing
- Oral airways
- Suction catheters
- Approved airways
- Splints
  - Traction splints
  - Board splints
  - Long spine board w/straps
  - Cervical immobilization device
  - Cervical collars
- Miscellaneous supplies
  - I.V. supplies
  - Blankets
  - Sterile burn sheets
  - Sterile irrigation solutions
  - Other expendable items not otherwise identified
- Exposure/Infection control equipment
  - Disposable gloves
  - Gowns
  - Masks
  - Eye shields
  - Biohazard bags
  - Hand cleaner

Each party shall attempt to recover and secure equipment for return to the appropriate service upon the patient's arrival at the medical facility. All non-expendable equipment will be appropriately marked with the service name.

Non-expendable items such as cardiac monitors, A.E.D's, oxygen regulators, blood pressure cuffs, stethoscopes, pulse oximeters, or other items not specifically listed as being replaced will be the responsibility of the first responder agency.

An inventory of expendable items used on scene will be noted on the incident report. A monthly report, including associated incident numbers, must be sent to the Hamilton County EMS Supply Division for reimbursement of supplies used.

#### **MUTUAL ASSISTANCE AND COORDINATION**

First response personnel may assist in removing needed equipment from the ambulance. If requested by the ambulance personnel, the first responder may accompany the crew and support patient care. In situations demanding response to the scene of violence or criminal activity, first response and EMS units shall confirm adequate law enforcement presence at the scene prior to or at the time of arrival.

Incident Command is the responsibility of the senior fire official on-scene for all fire or rescue events. The senior primary-provider EMS official on scene is responsible for all patient care once patient contact is established. Sectors will be established as required to manage the incident.

#### **EXPOSURE/INFECTION CONTROL**

Each party will establish and maintain independent Exposure Control Plans.

Infectious waste generated on-scene is the responsibility of the individual agency. The first responder service is not responsible for waste left on-scene by ambulance personnel, but should assist in its disposal in the interest of patient care.

The first responder service will package infectious waste in appropriate containers and deliver to the Hamilton County EMS Supply Division for proper disposal.

#### **MEDICAL CONTROL**

The first responder agency shall provide basic life support as a minimum. Extended and/or advanced life support capabilities are limited to those incidents where proper training and certification as well as necessary support equipment may be available. Those services authorize to provide extended or advanced life support (including A.E.D use) must maintain on file additional records as required by Hamilton County EMS and State regulation.

Hamilton County Ems shall retain a Medical Director to maintain control of the care provided, whose function shall include quality assurance of patient care, including:

- Development of protocols
- Standing orders
- Training
- Policies and procedures
- Approval of medications
- Techniques permitted for field use by first responder agency personnel in accordance with regulations of the State of Tennessee and in compliance with this procedure as may be provided by direct observation, field instructions, in-service training or other means including but not limited to:
  - Incident report review
  - Review of field communication tapes
  - Post-run interviews and case conferences
  - Critiques of simulated or actual patient presentations
  - Investigation of complaints or incident reports

The Medical Director shall serve as medical authority for the prehospital medical care providers, to perform as liaison with the medical community, medical facilities, and governmental entities.

All medical devices or biomedical equipment (Heart monitors, A.E.D's, ventilators, etc....) must be approved by the Medical Director prior to their purchase and must be certified and maintained as per manufacturer recommendations.

The Medical Director may have disciplinary authority sufficient to oversee quality control of prehospital medical care as defined in the "Rules of the Tennessee Department of Health and Regulation Division of Emergency Medical Services" and in the Tennessee Code Annotated.

## AEROMEDICAL TRANSPORT

The first responder service is responsible for designating and establishing the landing zone for the helicopter. Communications with the helicopter will be through the LZ Coordinator on primary frequency 154.280 and secondary frequency 154.160 or other 800 talk groups as assigned. The senior EMS official on-scene is responsible for determining the method of transport for all patients and will provide that information to the incident commander.

## TERMS OF AGREEMENT

This agreement is by and between two independent agencies and is not intended to and shall not be constructed to create a relationship of agent, servant, employee, or association.

Both parties to this agreement will provide training and familiarization of the information contained in the agreement to all of their personnel within a reasonably acceptable time frame and maintain records attesting to this.

Violation of any terms within the articles of agreement shall be grounds for suspension, until such violations have been corrected. Alleged violations of State law or rules shall be reported to the Regional EMS Consultant of the Department of Health and Human Services.

The parties shall not assign any rights or duties under this agreement to a third party without written consent of both parties

This agreement will begin Immediately and continue in force until amended or withdrawn by either party, and voids previous agreements between parties.

In witness whereof, the parties have executed this agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

John T Miller  
Signature

John T. Miller, Director

Hamilton County EMS

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signing Authority Name

City of Red Bank Fire Department  
Agency Name





## RESOLUTION NO. 21-1409

### **RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING GENERAL OBLIGATION CAPITAL OUTLAY REFUNDING NOTES, SERIES 2021, IN AN AMOUNT NOT TO EXCEED \$1,527,000, AND PROVIDING FOR THE PAYMENT OF SAID NOTES**

**WHEREAS**, the City of Red Bank, Tennessee (the "Municipality" or the "City"), has pursuant to a resolution adopted by the Board of Commissioners (the "Board"), of the Municipality, issued that certain \$1,900,000 General Obligation Capital Outlay Note, Series 2019, dated June 10, 2019 (the "Series 2019 Note"), which is currently outstanding in the principal amount of \$1,527,000, the proceeds having been used for the purpose of providing funds to finance the costs of the renovation of an existing building for use as a new City Hall, street and road improvements, including paving, and emergency culvert replacement and repair, the acquisition of all other property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs incident thereto;

**WHEREAS**, the Series 2019 Note currently matures May 1, 2022 through May 1, 2028, and is subject to redemption prior to its maturity at any time at the price of par, plus a 1% prepayment premium, and accrued interest to the date of redemption;

**WHEREAS**, the Municipality desires to prepay and refund the outstanding principal amount of the Series 2019 Note in the amount of \$1,527,000, maturing May 1, 2022 through May 1, 2028, prior to its maturity in order to lower the interest rate payable by the Municipality on such Series 2019 Note;

**WHEREAS**, Title 21, Chapter 9, Part 6, Tennessee Code Annotated, as amended (the "Act"), authorizes the extension, renewal, or refunding of capital outlay notes issued under such statute upon the approval of the Director of the Division of Local Government Finance;

**WHEREAS**, a plan of refunding for the Series 2019 Note and a computation of projected cost savings have been submitted to the Director of the Division of Local Government Finance for review as required by the Act, and a report on the plan of refunding has been issued by such Director of the Division of Local Government Finance; and,

**WHEREAS**, the Board of the Municipality finds it is advantageous to the Municipality to authorize the issuance and sale of not to exceed \$1,527,000 General Obligation Capital Outlay Refunding Notes, Series 2021 (the "Notes"), for the purpose of paying and redeeming the Series 2019 Note.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Red Bank, Tennessee, as follows:**

Section 1.      Authority. The Notes herein authorized shall be issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law.

Section 2.      Definitions. Without limiting any other definitions of terms and words in other sections of this Resolution, the following words and terms shall have the meanings indicated unless otherwise plainly apparent from the context:

"Act" means Title 9, Chapter 21, Tennessee Code Annotated, as amended.

"Board" means the Board of Commissioners of the City of Red Bank, Tennessee.

"Code" means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the United States Department of the Treasury promulgated thereunder, as in effect on the date of issuance of the Notes and as hereafter amended, supplemented, or revised insofar as such amendments, supplements, or revisions shall pertain to or affect the Notes.

"Note" means individually, or "Notes" means collectively, the General Obligation Capital Outlay Refunding Notes, Series 2021, of the Municipality authorized by this Resolution of the Board.

Section 3. Authorization. For the purpose of providing funds to redeem the outstanding principal of the Series 2019 Note, there shall be issued pursuant to, and in accordance with, the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law, the interest bearing capital outlay refunding notes of the Municipality, in the aggregate principal amount of not to exceed \$1,527,000, or such lesser amount as may be determined by the Mayor of the Municipality (the "Mayor") at the time of sale (collectively, the "Notes", individually, the "Note").

The Municipality hereby further certifies that the economic life of the facilities financed with the proceeds of the Series 2019 Note is at least nine (9) years or more, which was the term of the Series 2019 Note.

Section 4. Terms of the Notes. The Notes shall be designated "General Obligation Capital Outlay Refunding Notes, Series 2021". The Notes shall be issued in registered form, without coupons. The Notes shall be numbered from 1 upwards, shall be dated the date of issuance and delivery, shall be sold at not less than the par amount thereof, shall bear interest at a rate or rates not to exceed 2.05% per annum, such interest being payable at such times as agreed upon with the purchaser of such Notes, but in no event less than semiannually each year commencing six months from the dated date or such date as shall be designated by the Mayor (the "Interest Payment Date"), and shall mature not later than May 1, 2028. If the Notes are issued through the Tennessee Municipal Bond Fund ("TMBF"), alternative loan program, the rate of interest will include an annual fee equal to 15 basis points (0.15%), payable to TMBF by the bank, to be paid from each periodic payment of interest on the Notes, based on the outstanding principal amount of the Notes.

The Notes shall contain such terms, conditions, and provisions other than as expressly provided or limited herein as may be agreed upon by the Mayor of the Municipality and the purchaser of the Notes.

Interest on the Notes shall be payable by check or other form of draft of the "Note Registrar," as such term is hereinafter defined, deposited by the Note Registrar in the United States mail, first class postage prepaid, in sealed envelopes, addressed to the owner of such Notes, as of the applicable Interest Payment Date, at its address as shown on the Registration Books of the Municipality maintained by the Note Registrar as of the close of business fifteen (15) calendar days preceding the next Interest Payment Date. All payments of the principal of and interest on the Notes shall be made in any coin or currency of the United States of America which, on the date of payment thereof, shall be legal tender for the payment of public and private debts.

Section 5. Redemption. The Notes shall not be subject to redemption, in whole, prior to maturity. Notwithstanding the above, the Municipality may make additional principal payments on the Notes upon fifteen (15) calendar days' written notice to the owner from its own funds, not borrowed funds.

Section 6. Execution. The Notes shall be executed in the name of the Municipality; shall bear the manual signature of the Mayor; shall be countersigned by the City Recorder of the Municipality (the "City Recorder"), with his or her manual signature; and, shall have printed or impressed thereon the official seal of the Municipality. In the event any officer whose signature appears on the Notes shall cease to be such officer, such signature shall nevertheless be valid and sufficient for all purposes. The Notes shall be issued in typed, printed, or photocopied form, or any combination thereof, substantially in the form attached hereto as Exhibit "A", with such minor changes therein or such variations thereof as the Mayor may deem necessary or desirable, the blanks to be appropriately completed by the Mayor prior to the issuance of the Notes.

Section 7. Registration, Negotiability, and Payment. (a) The City Recorder of the Municipality is hereby appointed the note registrar and paying agent (the "Note Registrar"), and as such shall establish and maintain suitable books (the "Registration Books"), for recording the registration, conversion, and payment of the Notes, and shall also perform such other duties as may be required in connection with any of the foregoing. The Note Registrar is hereby authorized to authenticate and deliver the Notes to the original purchaser thereof, or as it may designate, upon receipt by the Municipality of the proceeds of the sale thereof and to authenticate and deliver Notes in exchange for Notes of the same principal amount delivered for transfer upon receipt of the Notes to be transferred in proper form with proper documentation as herein described. The Notes shall not be valid for any purpose unless authenticated by the Note Registrar by the manual signature of the Note Registrar on the certificate set forth in Exhibit "A" hereto. The Notes shall be fully registered as to both principal and interest and shall be fully negotiable upon proper endorsement by the registered owner thereof. No transfer of any Notes shall be valid unless such transfer is noted upon the Registration Books and until such Note is surrendered, canceled, and exchanged for a new Note which shall be issued to the transferee, subject to all the conditions contained herein. Principal of the Notes shall be paid at maturity upon presentation or surrender of the Notes at the principal office of the Note Registrar, and payment in such manner shall forever discharge and release the obligation of the Municipality to the extent of the principal and interest so paid.

(b) In the event that any amount payable on any Note as interest shall at any time exceed the rate of interest lawfully chargeable thereon under applicable law, then any such excess shall, to the extent of such excess, be applied against the principal of such Note as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

Section 8. Transfer of Notes. Each Note shall be transferable only on the Registration Books maintained by the Note Registrar at the principal office of the Note Registrar, upon the surrender for cancellation thereof at the principal office of the Note Registrar, together with an assignment of such Note duly executed by the owner thereof or its attorney or legal representative, and upon payment of the charges hereinafter provided, and subject to such other limitations and conditions as may be provided therein or herein. Upon the cancellation of any such Note, the Note Registrar shall, in exchange for the surrendered Note or Notes, deliver in the name of the transferee or transferees a new Note or Notes of authorized denominations, of the same aggregate principal amount, maturity, and rate of interest as such surrendered Note or Notes, and the transferee or transferees shall take such new Note or Notes subject to all of the conditions herein contained.

Section 9. Regulations with Respect to Transfers. In all cases in which the privilege of transferring Notes is exercised, the Municipality shall execute, and the Note Registrar shall deliver, Notes in accordance with the provisions of this Resolution. For every transfer of Notes, whether temporary or definitive, the Municipality and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such transfer, all of which taxes, fees, and other governmental charges shall be paid to the Municipality by the entity requesting such transfer as a condition precedent to the exercise of the privilege of making such transfer. Neither the Municipality nor the Note Registrar shall be obligated to transfer any Note during the fifteen (15) calendar days next preceding any Interest Payment Date.

Section 10. Mutilated, Lost, Stolen, or Destroyed Notes. In the event any Note issued hereunder shall become mutilated, or be lost, stolen, or destroyed, such note shall, at the written request of the registered owner, be canceled on the Registration Books and a new Note shall be authenticated and delivered, corresponding in all aspects but number to the mutilated, lost, stolen, or destroyed Note. Thereafter, should such mutilated, lost, stolen, or destroyed Note or Notes come into possession of the registered owner, such Notes shall be returned to the Note Registrar for destruction by the Note Registrar. If the principal on said mutilated, lost, stolen, or destroyed Note shall be due within fifteen (15) calendar days of receipt of the written request of the registered owner for authentication and delivery of a new Note, payment therefor shall be made as scheduled in lieu of issuing a new Note. In every case the registered owner shall certify in writing as to the destruction,

theft, or loss of such Note, and shall provide indemnification satisfactory to the Municipality and to the Note Registrar, if required by the Municipality and the Note Registrar.

Any notice to the contrary notwithstanding, the Municipality and all of the officials, employees, and agents thereof, including the Note Registrar, may deem and treat the registered owner of the Notes as the absolute owner thereof for all purposes, including, but not limited to, payment of the principal thereof, and the interest thereon, regardless of whether such payment shall then be overdue.

Section 11. Authentication. Only such of the Notes as shall have endorsed thereon a certificate of authentication, substantially in the form set forth in Exhibit "A" hereto duly executed by the Note Registrar shall be entitled to the rights, benefits, and security of this Resolution. No Note shall be valid or obligatory for any purpose unless, and until, such certificate of authentication shall have been duly executed by the Note Registrar. Such executed certificate of authentication by the Note Registrar upon any such Note shall be conclusive evidence that such Note has been duly authenticated and delivered under the Resolution as of the date of authentication.

Section 12. Source of Payment and Security. The Notes, as to both principal and interest, shall be payable from funds of the Municipality legally available therefor and to the extent necessary from ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality without limitation as to time, rate, or amount. Said Notes shall be a direct general obligation of the Municipality, for which the punctual payment of the principal of and interest on the Notes, the full faith and credit of the Municipality is irrevocably pledged.

Section 13. Levy of Taxes. For the purpose of providing for the payment of the principal of and interest on the Notes, to the extent necessary, there shall be levied in each year in which such Notes shall be outstanding a direct tax on all taxable property in the Municipality, fully sufficient to pay all such principal and interest falling due prior to the time of collection of the next succeeding tax levy. Said tax shall be assessed, collected, and paid at the time, and in the same manner, as the other taxes of said Municipality, shall be in addition to all other taxes, and shall be without limitation as to time, rate, or amount, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay said principal of and interest on the Notes maturing in said year. Principal or interest falling due at any time when there shall be insufficient funds on hand from such tax levy for the payment thereof shall be paid from the general fund or other available funds of the Municipality, but reimbursement therefor may be made from the taxes herein provided when the same shall have been collected. Such taxes levied and collected therefor shall be deposited in a the general fund or debt service fund and used solely for the payment of principal of and interest on the Notes as the same shall become due.

Section 14. Submission of Budget to Director of the Division of Local Government Finance. After the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the Municipality shall submit its annual budget to the Director of the Division of Local Government Finance for approval immediately upon the Municipality's adoption of the budget.

Section 15. Sale of Notes. The Notes herein authorized are authorized to be sold by the Mayor by private negotiated sale at a price of not less than par. The Notes shall contain such terms, conditions, and provisions other than as expressly provided or limited herein as may be agreed upon by the Mayor of the Municipality and the purchaser of the Notes.

Section 16. Disposition of Note Proceeds. The proceeds from the sale of the Notes shall be paid to the official of the Municipality designated by law as the custodian of the funds thereof. Said proceeds shall be used, together with other available funds of the Municipality, to redeem the outstanding principal of the Series 2019 Note on the first available date, but in no event later than eighty-nine (89) days from the date of issuance of the Notes.

Section 17. Designation of Notes as Qualified Tax-Exempt Obligations. The Municipality hereby designates the Notes as "qualified tax-exempt obligations" within the meaning and for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Municipality reasonably anticipates that the amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii)) which will be issued during the calendar year by the Municipality (i) any issuer with respect to which the Municipality is deemed to be an "on behalf of" issuer, and (ii) all subordinate entities which are treated as one issuer under Section 265(b)(3)(E) of the Code, will not exceed \$10,000,000, and not more than \$10,000,000 of obligations issued by the Municipality (together with those issued by any other issuers that are treated as one issuer under such Section 265(b)(3)) during the 2021 calendar year will be designated as "qualified tax-exempt obligations".

Section 18. Non-Arbitrage Certification. The Municipality certifies and covenants with the owner of the Notes that so long as the principal of any Note remains unpaid, monies on deposit in any fund or account in connection with the Notes, whether or not such monies were derived from the proceeds of the sale of the Notes or from any other source, will not be used in a manner which will cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code, and any lawful regulations promulgated thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented, or revised. The Municipality reserves the right, however, to make any investment of such monies permitted by Tennessee law and this Resolution if, when and to the extent that said Section 148 or regulations promulgated thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation, or decision would not, in the opinion of counsel of recognized competence in such matters, result in making the interest on the Notes subject to inclusion in gross income of the owner thereof for federal income tax purposes.

The Municipality covenants that it shall comply with Section 148(f) of the Code, unless legally exempted therefrom and it represents that in the event it shall be required by Section 148(f) of the Code to pay "Rebatable Arbitrage," as defined in the regulations promulgated under the Code, to the United States Government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Notes from becoming subject to inclusion in federal gross income of the owner of the Notes for purposes of federal income taxation.

Section 19. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner of the Notes, and after the issuance of the Notes, no change, variation, or alteration of any kind in the provisions of this Resolution shall be made in any manner, until such time as all installments of the principal of and interest on the Notes shall have been paid in full or the consent of the registered owner of the Notes has been obtained; provided, however, that the Municipality is hereby authorized to make such amendments to this Resolution as will not impair the rights or security of the owner of the Notes.

Section 20. No Action to be Taken Affecting Validity of the Notes. The Municipality hereby covenants and agrees that it will not take any action, that would in any manner affect the validity of the Notes or limit the rights and remedies of the owner from time to time of such Notes. The Municipality further covenants that it will not take any action that will cause the interest on the Notes to be subject to inclusion in gross income of the owner thereof for purposes of federal income taxation.

Section 21. Miscellaneous Acts. The Mayor, the City Recorder, the City Manager, and the Finance Director, and all other appropriate officials of the Municipality are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution; or any of the documents herein authorized and approved; or for the authorization, issuance, and delivery of the Notes and for the prepayment of the Series 2019 Note.

Section 22. Failure to Present Notes. Subject to the provisions of Section 3 hereof, in the event any Note shall not be presented for payment when the principal becomes due at maturity and in the event monies sufficient to pay such Note shall be held by the Note Registrar for the benefit of the owner thereof, all liability of the Municipality to such owner for the payment of such Note shall forthwith cease, terminate, and be completely discharged. Thereupon, the Note Registrar shall hold such monies, without liability for interest thereon, for the benefit of the owner of such Note who shall thereafter be restricted exclusively to such monies for any claim under this Resolution or on, or with respect to, said Note, subject to escheat or other similar law, and any applicable statute of limitation.

Section 23. Payments Due on Saturdays, Sundays, and Holidays. Whenever the interest on or principal of any Note is due on a Saturday or Sunday or, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then the payment of the interest on, or the principal of, such Note need not be made on such date but must be made on the next succeeding day not a Saturday, Sunday, or a legal holiday or a day upon which banking institutions are authorized by law to close, with the same force and effect as if made on the date of maturity; and no interest shall accrue for the period after such date.

Section 24. No Recourse Under Resolution or on Notes. All stipulations, promises, agreements, and obligations of the Municipality contained in this Resolution shall be deemed to be the stipulations, promises, agreements, and obligations of the Municipality and not of any officer, director, or employee of the Municipality in his or her individual capacity, and no recourse shall be had for the payment of the principal of or interest on the Notes or for any claim based thereon or under this Resolution against any officer, director, or employee of the Municipality or against any official or individual executing the Notes.

Section 25. Severability. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions hereof.

Section 26. Repeal of Conflicting Resolutions and Effective Date. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, and this Resolution shall be in effect as of the date of its adoption the welfare of the Municipality requiring it.

Approved and adopted this 1st day of June, 2021.

\_\_\_\_\_  
Mayor Hollie Berry (date)

ATTEST:

\_\_\_\_\_  
City Recorder Tracey Perry (date)

STATE OF TENNESSEE)  
COUNTY OF HAMILTON)

I, Tracey Perry, hereby certify that I am the duly qualified and acting City Recorder of the City of Red Bank, Tennessee (the "Municipality"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Board of Commissioners (the "Board") of said Municipality held on June 1, 2021; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete transcript from said original record insofar as said original record relates to, among other matters, the authorization of the issuance of not to exceed \$1,527,000 General Obligation Capital Outlay Refunding Notes, Series 2021, by said Municipality; (4) that the actions by said Board including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Board was present and acting throughout said meeting.

WITNESS my official signature and the seal of said Municipality this 1st day of June, 2021.

---

City Recorder Tracey Perry

(SEAL)

**EXHIBIT "A"**

**(FORM OF NOTE)**

**Registered  
No.** \_\_\_\_\_

**Registered  
\$** \_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF TENNESSEE  
CITY OF RED BANK  
GENERAL OBLIGATION CAPITAL OUTLAY REFUNDING NOTE,  
SERIES 2021**

**Registered Owner:**

**Principal Amount:**

THE CITY OF RED BANK, TENNESSEE (the "Municipality"), a lawfully organized and existing municipal corporation, for value received, hereby acknowledges itself indebted and promises to pay, as hereinafter set forth, in the manner hereinafter provided, to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, upon the presentation and surrender hereof at the office of the City Recorder, City Hall, Red Bank, Tennessee, or its successor as registrar and paying agent (the "Note Registrar"), the Principal Amount identified above, and to pay interest on said Principal Amount from the date hereof, or such later date as to which interest has been paid, to the Maturity Date, semiannually May 1 and November 1 of each year, commencing November 1, 2021, at the Interest Rate per annum set forth above, by check, draft, or warrant to the Registered Owner hereof at the address shown on the registration books of the Note Registrar on the fifteenth (15th) calendar day next preceding an interest payment date, in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts.

In the event that any amount payable hereunder as interest shall at any time exceed the rate of interest lawfully chargeable on this note under applicable law, any such excess shall, to the extent of such excess, be applied against the principal hereof as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

The principal hereof and interest hereon shall bear interest from and after their respective due dates (whether by acceleration, demand, or otherwise) at the same rate of interest payable on the principal hereof.

Section 9-21-117, Tennessee Code Annotated, as amended, provides that this note and the income therefrom is exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, estate, and transfer taxes and except as otherwise provided in said Code.



This note is one of a series of notes known as "General Obligation Capital Outlay Refunding Notes, Series 2021" (the "Notes"), issued by the Municipality in the aggregate principal amount of \$1,527,000. The Notes which are issued for the purpose of paying and redeeming the outstanding principal of that certain \$1,900,000 General Obligation Capital Outlay Note, Series 2019, dated June 10, 2019, which is currently outstanding in the principal amount of \$1,527,000 (the "Series 2019 Note"), maturing May 1, 2022 through May 1, 2028, the proceeds of the Series 2019 Note having been used for the purpose of financing the costs of the renovation of an existing building for use as a new City Hall, street and road improvements, including paving, and emergency culvert replacement and repair, the acquisition of all other property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs incident thereto, are authorized by an appropriate resolution of the Board of Commissioners and particularly that certain Resolution of the Board of Commissioners, adopted on June 1, 2021, as such resolution may be from time to time amended or supplemented in accordance with its terms (such resolution, as so amended or supplemented, being herein called, the "Resolution"), and are issued pursuant to, and in full compliance with, the Constitution and the statutes of the State of Tennessee, including, but not limited to, Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"). Copies of the Resolution are on file at the office of the City Recorder of the Municipality, and reference is hereby made to the Resolution and the Act, for a more complete statement of the terms and conditions upon which the Notes are issued thereunder, the rights, duties, immunities, and obligations of the Municipality, and the rights of the Registered Owner hereof.

This Note and interest hereon is payable from funds of the Municipality legally available therefor and to the extent necessary from ad valorem taxes to be levied on all taxable property in the Municipality without limitation as to time, rate, or amount. For the prompt payment of this note, both principal and interest, as the same shall become due, the full faith and credit of the Municipality are hereby irrevocably pledged.

The Municipality has designated the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This note is transferable by the Registered Owner hereof by its attorney or legal representative at the office of the Note Registrar, but only in the manner and subject to the limitations and conditions provided in the Resolution and upon surrender and cancellation of this note. Upon any such transfer, the Municipality shall execute, and the Note Registrar shall authenticate and deliver in exchange for this note, a new fully registered note or notes, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the principal amount of this note, of the same maturity and bearing interest at the same rate. For every transfer of notes, whether temporary or definitive, the Municipality and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such transfer, all of which taxes, fees, or other governmental charges shall be paid to the Municipality by the person or entity requesting such transfer as a condition precedent to the exercise of the privilege of making such transfer.

The Municipality and the Note Registrar may deem and treat the entity in whose name this note is registered as the absolute owner hereof, whether such note shall be overdue or not, for the purpose of making payment of the principal of and interest on this note and for all other purposes. All such payments so made shall be valid and effectual to satisfy and discharge the liability upon this note to the extent of the sum or sums so paid, and neither the Municipality nor the Note Registrar shall be affected by any notice to the contrary.

The Notes are issuable only as fully registered Notes, without coupons. At the office of the Note Registrar, in the manner and subject to the limitations, conditions, and charges provided in the Resolution, fully registered Notes may be exchanged for an equal aggregate principal amount of fully registered Notes of the same maturity, of authorized denominations, and bearing interest at the same rate.

The Note shall not be subject to redemption, in whole, prior to maturity. Notwithstanding the above, the Municipality may make additional principal payments on the Note upon fifteen (15) calendar days' written notice to the Registered Owner from its own funds, not borrowed funds.

This note shall have all the qualities and incidents of, and shall be, a negotiable instrument under, the Uniform Commercial Code of the State of Tennessee, subject only to provisions respecting registration of such note. This note is issued with the intent that the laws of the State of Tennessee shall govern its construction.

It is hereby certified, recited, and declared that all acts and conditions required to be done and to exist precedent to the issuance of, this note in order to make this note a legal, valid, and binding obligation of the Municipality, have been done, and did exist in due time and form as required by the Constitution and statutes of the State of Tennessee; and that this note and the issue of which it is a part, together with all other indebtedness of such Municipality, does not exceed any limitation prescribed by the Constitution or statutes of the State of Tennessee.

IN WITNESS WHEREOF, THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, has caused this note to be signed by the manual signatures of the Mayor and the City Recorder, all as of June 1, 2021.

## **RESOLUTION NO. 21-1410**

### **A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK AND SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT FOR PROVIDING LOCAL PLANNING ADVISORY SERVICES**

**WHEREAS**, Tennessee Code Annotated, §13-14-101 and its following sections establish a delineation of regions deemed viable to the economic development of the state, and allow creation of development districts for these regions, encompassing one (1) or more counties or parts of counties, so they are conducive to efficient planning and orderly economic development of the state; and

**WHEREAS**, Tennessee Code Annotated, §64-7-101 and its following sections established the Southeast Tennessee Development District (SETDD), a public body on behalf of the counties of Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, and Sequatchie and all incorporated municipalities and metropolitan governments located within these counties; and

**WHEREAS**, SETDD is empowered, among other duties, “to receive and expend funds from any sources for regional staffing, for research, planning, coordination, economic development, demonstration projects and other activities deemed necessary to promote the efficient, harmonious economic development of the region.” ; and

**WHEREAS**, the City of Red Bank requests the SETDD to provide planning advisory services for the period beginning July 1, 2021 and ending June 30, 2023, and agrees to appropriate the necessary funds for these services, not to exceed \$15,350.00 per annum for the Fiscal Years ending June 30, 2022 and June 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee that the agreement between the City of Red Bank and Southeast Tennessee Development District, in the amount of \$15,350.00 per annum (Total \$30,700), be and is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor is authorized to sign and execute the agreement upon approval by the City Attorney.

Resolved this 1st day of June, 2021.

\_\_\_\_\_  
Mayor Hollie Berry (Date)

\_\_\_\_\_  
City Recorder Tracey Perry (Date)

**A CONTRACT BETWEEN THE**  
**SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT**  
**AND**  
**THE CITY OF RED BANK**  
**PROVIDING FOR LOCAL PLANNING ADVISORY SERVICES**

This **CONTRACT**, entered into as of the first day of July 2021, by the Southeast Tennessee Development District (SETD), an agency composed of member governments in southeast Tennessee, and the City of Red Bank, Tennessee.

Contract Agreed Upon Annual Rate for FY2022 & FY2023: \$15,350 (Total \$30,700)

**I. FINDINGS & DECLARATIONS**

- A. Tennessee Code Annotated §13-14-101 and its following sections establish a delineation of regions deemed viable to the economic development of the state, and allow creation of development districts for these regions, encompassing one (1) or more counties or parts of counties, so they are conducive to efficient planning and orderly economic development of the state.
- B. Tennessee Code Annotated §64-7-101 and its following sections established the Southeast Tennessee Development District (SETD), a public body on behalf of the counties of Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, and Sequatchie and all incorporated municipalities and metropolitan governments located within these counties.
- C. SETD is empowered, among other duties, "to receive and expend funds from any sources for regional staffing, for research, planning, coordination, economic development, demonstration projects and other activities deemed necessary to promote the efficient, harmonious economic development of the region."
- D. The City of Red Bank requests the SETD to provide planning advisory services, and agrees to appropriate the necessary funds for these services.

**II. CONTRACT**

In consideration of these findings and declarations and other valuable considerations, the parties agree as follows:

- A. During the twenty-fourth month period beginning July 1, 2021, and ending June 30, 2023, SETD agrees to furnish the services of professionally trained planning advisors who will confer with the local planning commission, board of zoning appeals, and other local officials with respect to the local government's land-use planning program. Planning services rendered may include the following:
1. Attending planning commission meetings, board of zoning appeals meetings, and other planning functions.
  2. Preparing land use controls for adoption, implementation, and enforcement by local community officials, including but not limited to zoning ordinances, subdivision regulations, flood plain management regulations, and other land use controls. In addition, SETD planning staff will provide advisement to local officials on matters of interpretation and enforcement of said land use controls.
  3. Assist with developing and reviewing the planning commission's long-range work program, Public Chapter 1101 Growth Management Plans and amendments, and other land-use planning studies and documents.
  4. Reviewing, and preparing staff recommendations for site plans, subdivision plats, variance requests, zoning map amendments, and other development proposals. SETD planning recommendations are considered advisory only; local communities and their appropriate representatives have the sole authority to enforce their ordinances and regulations.
  5. Providing access to the resources of a regional office including mapping services, geographic information systems support, and planning-related research.
  6. Providing training for planning commissioners, board of zoning appeals members, and local administrators.
  7. Advising and providing assistance on matters relating to state, federal, and regional programs that affect planning and implementation for local governments.

Other activities may be included depending on the scope and nature of the desired services and SETD capacity. Any activities requiring additional compensation above and beyond this local planning assistance contract must be agreed upon mutually by the community and SETD and will be attached as an amendment to this contract for basic services.

- B. For the purpose of providing funds necessary to carry out the provisions of this contract, **IT IS AGREED** that the chief legislative body will pay to the SETD the sum of **\$15,350** annually, payable in total upon the effective date of this contract, or in annual installments, due and payable on the first day of each fiscal year. The City of Red Bank hereby authorizes the SETD to apply on their behalf for eligible funds from State sources to supplement the planning contract anytime funds are available.

- C. Within each twelve (12)-month period from July 1 to June 30, and upon request by the community, SETD may provide two (2) oversize copies of the zoning map or any other community map up to 36" x 44" in size. After the initial two (2) copies, additional printed copies of any document over 11" x 17" will be provided at \$30.00 per copy. It should be noted most of our community mapping is now hosted online with interactive maps being available to the public. Planning fees help to cover the cost of hosting these online maps, documents, and webpages for our communities.
- D. Either party may terminate this Contract by giving written notice to the other party specifying the date of termination, at least ninety (90) days before the termination date. Upon termination of the Contract, the obligation of the SETD to conduct and carry on the program agreed to under this Contract shall cease, and the financial obligation of the chief legislative body as described in this Contract above shall likewise cease. If prepayment has been made by the chief legislative body, SETD will determine, by prorating, the amount to be refunded.
- E. This Contract is for a period of twenty-four (24) months. After the initial twelve months, the contract will automatically renew for the second year unless notice of termination is given as provided for in Section D above. Local governments are under no obligation to continue SETD planning services beyond the dates specified in this contract.
- F. In all matters relating to the performance of this contract, the SETD Executive Director acts for the SETD, and the Mayor acts for the City of Red Bank, Tennessee.

The parties execute this contract through their duly authorized representatives.

FOR THE SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
SETD Executive Director

FOR THE City of Red Bank

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor Hollie Berry

Approved as to Form:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
City Attorney Arnold Stulce

## **RESOLUTION NO. 21-1411**

### **A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BULLETPROOF VEST PARTNERSHIP GRANT**

**WHEREAS**, the safety and well being of the employees of the Red Bank Police Department is of the greatest importance; and

**WHEREAS**, the United States Department of Justice, Office of Justice Programs(USDOJ), has established a Bulletproof Vest Partnership Grant program for the purchase of Law Enforcement Equipment for Tennessee Criminal Justice Agencies; and

**WHEREAS**, this would be an \$8,075.00 reimbursing grant to be applied to an estimated \$16,150.00 expenditure for the purchase of seventeen (17) bulletproof vests by the Police Department; and

**WHEREAS**, the grant is to be administered over a period of two (2) fiscal years, as determined by the Chief of Police on an as needed basis; and

**WHEREAS**, the City of Red Bank now seeks to participate in this important equipment grant program.

### **NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF RED BANK, TENNESSEE, AS FOLLOWS:**

SECTION 1. That the City of Red Bank, Tennessee is hereby authorized to submit supplication for a Law Enforcement Equipment Grant through the State of Tennessee, Office of Criminal Justice Programs.

SECTION 2. That the City Manager is authorized to sign the grant application and agreement and any accompanying forms upon approval by the City Attorney.

SECTION 3. That upon anticipated award of said grant, that the City Manager and/or Chief of Police is authorized to expend the necessary sums from budgeted funds and to seek reimbursement of up to \$8,075.00 from the USDOJ for the acquisition of seventeen (17) bulletproof vests, as herein provided.

Resolved this 1st day of June in the year of 2021.

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Mayor Hollie Berry

(date)

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City Recorder Tracey Perry (date)



## **RESOLUTION NO. 21-1412**

### **A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE APPROVING THE ASSIGNMENT OF THE SANTEK WASTE SERVICES, LLC WASTE SERVICES, LLC SOLID WASTE AND DUMPSTER ROLL OFF DISPOSAL AGREEMENT DATED MAY 12, 2020 TO CAPITAL WASTE SERVICES, LLC WASTE SERVICES, LLC SUBJECT TO CERTAIN CONDITIONS**

**WHEREAS**, the City's solid waste disposal subcontractor, Santek Waste Services, LLC Waste Services, LLC has notified the City that it has sold certain of its assets, represented to be derivative of a settlement agreement with and directive of the US Department of Justice, and which includes its rights and responsibilities under its contract with the City of Red Bank dated May 12, 2020; and

**WHEREAS**, the current agreement with Santek Waste Services, LLC provides for, but does not require the City to consent to such assignment or rights and responsibilities; and

**WHEREAS**, Capital Waste Services, LLC, as assignee of Santek Waste Services, LLC is apparently ready, willing and able to take up and assume the responsibilities of compliance with Santek Waste Services, LLC's responsibilities under the Contract dated May 12th, 2020; and

**WHEREAS**, the Commission finds that it is in the best interest of the City to approve the referenced assignment and assumption by Capital Waste Services, LLC of the May 12th, 2020 agreement and to contemporaneously approve the non-exercise of the annual renewal provisions of said agreement, all subject to operational and substantive conditions to be included by the City Manager and the City Attorney,

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee:

- (1) That the assignment of the Santek Waste Services, LLC Solid Waste and Dumpster Roll Off Disposal Agreement dated May 12th, 2020 to Capital Waste Services, LLC Waste Services LLC is approved subject to inclusion of such conditions as the City Manager and the City Attorney shall require, including but not limited to an express assumption by Capital Waste Services, LLC of the responsibilities under said contract.
- (2) That the City elects to not elect to exercise the opt out and non-renewal provisions of the existing Contract and so to authorize the renewal of same for an additional one year term, although with Capital Waste Services, LLC as the Contractor instead of Santek Waste Services, LLC.
- (3) That the City Manager is authorized to execute the Assignment Letter in such form and subject to such conditions as approved by the City Attorney.

Resolved this 1<sup>st</sup> day of June, 2021.

\_\_\_\_\_  
Mayor Hollie Berry (date)

\_\_\_\_\_  
City Recorder Tracey Perry (date)